

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

Vol. 5, No. 32

August 7, 1986

Pages 1097-1120

IN THIS ISSUE . . .	Page
Kansas Fish and Game Commission	
Notice of Meeting	1098
Secretary of State	
Usury Rate for August	1098
Abstracters' Board of Examiners	
Notice of Examination	1098
State Employees Health Care Commission	
Notice Concerning Negotiations for Health Insurance Contracts	1098
Kansas Insurance Department	
Notice of Hearing	1099
Kansas Water Office	
Notice of Hearings on State Water Plan	1099
State Conservation Commission	
Notice to Contractors	1099
Attorney General	
Opinion No. 86-110	1099
State Banking Board	
Notice of Meeting	1100
Department of Transportation	
Special Notices to Contractors	1100
Notice to Contractors	1100
Notice to Bidders for State Purchases	1100
Legislative Interim Committee Schedule	1102
Court of Appeals Docket	1103
Notice of Bond Sale	
City of Lawrence	1108
City of Wichita (amended notice)	1110
City of Oxford	1113
Notice of Bond Redemption	
City of Larned	1115
State Corporation Commission	
Notice of Motor Carrier Hearings	1115
Notice to Intrastate Common and Contract Carriers	1119

State of Kansas
FISH AND GAME COMMISSION
NOTICE OF MEETING

A meeting of the Kansas Fish and Game Commission is scheduled for Wednesday, August 27 and Thursday, August 28 at the Best Western Hospitality House, 3181 W. Highway 50, Emporia.

A public hearing will be held to establish the 1986-87 migratory waterfowl seasons and will begin at 7 p.m. August 27.

A general business meeting to include discussion of possible falconry regulations, the fiscal year 1988 budget, and other business topics will be held following the hearing. The meeting will continue on August 28 at 9 a.m.

BILL HANZLICK
 Director

Doc. No. 004475

State of Kansas
SECRETARY OF STATE
NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, JACK H. BRIER, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 1985 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of August 1, 1986 through August 31, 1986 shall be 11.81 percent.

In testimony whereof: I hereto set my hand and cause to be affixed my seal. Done at the City of Topeka, this 31st day of July, A.D. 1986.

JACK H. BRIER
 Secretary of State

Doc. No. 004474

State of Kansas
ABSTRACTERS' BOARD OF EXAMINERS
NOTICE OF EXAMINATION

An examination to secure registration and become subject to license to engage in the business of making, compiling or completing and selling abstracts of title to real estate in Kansas will be held by the Abstracters' Board of Examiners at 8 a.m. Saturday, September 13, at the Marcus Center for Continuing Education, Wichita State University, 4201 E. 21st, Wichita.

Persons desiring to take the examination should file an application and \$25 fee with the executive secretary of the board, P.O. Box 218, Jetmore 67854, before September 6, 1986.

JOANNE CLARKE
 Executive Secretary

Doc. No. 004457

State of Kansas
DEPARTMENT OF ADMINISTRATION
STATE EMPLOYEES HEALTH CARE COMMISSION

NOTICE CONCERNING NEGOTIATIONS FOR STATE EMPLOYEES HEALTH INSURANCE CONTRACTS

Notice is hereby given of continuation of negotiations with insurance carriers for the state employees health insurance contracts which will be effective January 1, 1987.

Negotiations will continue at 8:30 a.m. Monday, August 11, in Room 521-S, State Capitol, Topeka.

ALDEN K. SHIELDS
 Chairman

Doc. No. 004464

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PUBLISHED BY
JACK H. BRIER
 Secretary of State
 2nd Floor, State Capitol
 Topeka, KS 66612-1594



PHONE: 913/296-3489

State of Kansas

KANSAS INSURANCE DEPARTMENT**NOTICE OF HEARING**

A formal hearing will be held in the offices of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, at 10 a.m. Wednesday, August 27, to determine whether the application for the proposed union of the American Investors Life Insurance Company, Inc. with Interim American Corporation, both of Topeka, Kansas, and the related acquisition of control of American Investors Life Insurance Company by Am-Vestors Financial Corporation should be approved by the Commissioner of Insurance in accordance with the provisions of K.S.A. 40-309 and K.S.A. 40-3301 *et seq.*

All interested parties may attend and will be given the opportunity to hear the details of the proposed acquisition, to present either oral or written testimony in favor of or in opposition to the transaction, and to ask any questions relative to the transaction.

FLETCHER BELL
Commissioner of Insurance

Doc. No. 004469

State of Kansas

KANSAS WATER OFFICE**NOTICE OF HEARINGS
ON STATE WATER PLAN**

The Kansas Water Office will conduct two public hearings to obtain the public's views on the working draft of the fiscal year 1988 State Water Plan. The hearings are scheduled as follows:

- Monday, August 18, 8:30 a.m., Room 313-South, State Capitol, Topeka
- Tuesday, August 19, 3 to 5 p.m. and 7:30 p.m., Fort Hays Experiment Station, Hays

A copy of the working draft of the plan will be available for inspection after August 5 at the county extension office and conservation district office located in each county. Copies of the draft may be obtained from the Kansas Water Office.

For additional information, contact Joseph F. Harkins, Director, Kansas Water Office, 109 S.W. 9th, Suite 200, Topeka 66612-1215, (913) 296-3185.

JOSEPH F. HARKINS
Director

Doc. No. 004458

State of Kansas

STATE CONSERVATION COMMISSION**NOTICE TO CONTRACTORS**

Sealed bids for the construction of a 28,000 cubic yard flood control dam site F-23 in Jefferson County will be received by the Delaware Watershed Joint District No. 10 in the Watershed District Office, 125 W. 4th, Holton 66436, until 1 p.m. August 21, 1986, and then will be publicly opened.

Proposals will be issued upon request to all prospective bidders by calling (913) 364-4309. Copies of plans and specifications are available at the watershed district office.

KENNETH F. KERN
Executive Director

Doc. No. 004470

State of Kansas

ATTORNEY GENERAL**Opinion No. 86-110**

State Departments; Public Officers and Employees—Public Officers and Employees—Open Public Meetings; Bodies Subject Thereto; "Membership of a Body"; Mayor-Council Form of Government. Dennis W. Moore, District Attorney, Olathe, July 24, 1986.

The intent of the Kansas statutes authorizing the mayor-council form of municipal government is that the office of mayor is separate and distinct from the members of the council. Under the Kansas Open Meetings Act a meeting is defined as a prearranged gathering of a majority of a quorum for the purpose of discussing the business of the governing body. A "majority of a quorum" is the smallest number of members of the governing body that can take official action. In accordance with the intent of the Kansas statutes and the purpose of the KOMA, we conclude that the "membership of the body" in a mayor-council form of municipal government does not include the mayor for purposes of determining the minimum number of persons that can constitute a meeting. Cited herein: K.S.A. 15-106; 15-201; K.S.A. 1985 Supp. 15-204; K.S.A. 15-301; 15-310; 75-4317; 75-4317a. RLN

ROBERT T. STEPHAN
Attorney General

Doc. No. 004465

State of Kansas

STATE BANK COMMISSIONER
STATE BANKING BOARD

NOTICE OF MEETING

The State Banking Board will meet at 10 a.m. Monday, August 18, in the conference room of the State Banking Department, 700 Jackson, Suite 300, Topeka. The board reviews matters coming before it relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

EUGENE T. BARRETT, JR.
State Bank Commissioner

Doc. No. 004456

State of Kansas

DEPARTMENT OF TRANSPORTATION

SPECIAL NOTICE TO CONTRACTORS

A pre-bid conference for Project 670-105 K-2888-01, Wyandotte County, is scheduled for 1:30 p.m. Thursday, August 28, at the District One conference room, 121 W. 21st, Topeka. The project is located on I-670, beginning at I-670 and I-70 intersection, then east to the Missouri state line, bridges 1.28 and 1.29, bridge superstructure.

Contractors wishing to bid on this project are required to attend the pre-bid conference in accordance with the provisions of 80 P-207-R1, dated January 31, 1985. The project is tentatively scheduled to be let for bid on September 18, 1986, at the Construction Bid Letting, 10th and Jackson, Topeka, at 10 a.m.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004472

State of Kansas

DEPARTMENT OF TRANSPORTATION

SPECIAL NOTICE TO CONTRACTORS

A pre-bid conference for projects 70-105 K-0966-03 and 70-105 K-0966-08, Wyandotte County, is scheduled for 10 a.m. Thursday, August 28, at the District One conference room, 121 W. 21st, Topeka. Project 70-105 K-0966-03 is located at I-70, from east of I-635 to I-670, 1.7 miles, grading, surfacing and bridge; and Project 70-105 K-0966-08 is located on I-70, beginning at 18th Street and Pacific Avenue, then east, 0.1 mile, grading and surfacing.

Contractors wishing to bid on this project are required to attend the pre-bid conference in accordance with the provisions of 80 P-207-R1, dated January 31, 1985. The project is tentatively scheduled to be let for bid on September 18, 1986, at the Construction Bid Letting, 10th and Jackson, Topeka, at 10 a.m.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004473

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

It is the intent that sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. September 18, 1986, and then publicly opened:

DISTRICT ONE—Northeast

Wyandotte—70-105 K-0966-03—I-70, from east of I-635, then east to I-670, 1.7 miles grading, surfacing and bridge. (Federal Funds)

Wyandotte—70-105 K-0966-06—I-70, from east of I-635, then east to I-670, 1.7 miles, signing. (Federal Funds)

Wyandotte—70-105 K-0966-07—I-70, from east of I-635, then east to I-670, 1.7 miles, lighting. (Federal Funds)

Wyandotte—70-105 K-0966-08—I-70, beginning at 18th Street and Pacific Avenue, then east, 0.1 mile, grading and surfacing. (Federal Funds)

Wyandotte—670-105 K-2888-01—I-670, beginning at the intersection of I-670 and I-70, then east to the Missouri state line, bridges 1.28 and 1.29, bridge superstructure. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the K.D.O.T. 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 projects may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

JOHN B. KEMP
Secretary of Transportation

Doc. No. 004471

State of Kansas

DEPARTMENT OF ADMINISTRATION

DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, State Office Building, Topeka, until 2 p.m. C.D.T., and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

MONDAY, AUGUST 18, 1986

#27314

University of Kansas Medical Center and other state agencies—SURGICAL INSTRUMENTS AND SUPPLIES (CLASS 05)

#27315
Statewide—STEEL OFFICE FURNITURE

#27326
University of Kansas, University of Kansas Medical Center, Kansas State University and Wichita State University—SPECIALIZED LABORATORY CHEMICALS

#27332
Statewide—COMPUTER OUTPUT MICROFICHE

#27333
Emporia State University—ELECTRIC TYPEWRITER MAINTENANCE

#66566
Kansas State University—CUTTER BAR

#66615
University of Kansas—CARPET

TUESDAY, AUGUST 19, 1986

#A-5611
Kansas Fish and Game Commission—FURNISH AND ERECT BOAT STORAGE BUILDING, Clinton Reservoir, Douglas County

#A-5617
Kansas State University—LANDSCAPE IRRIGATION SYSTEM—Lot A-1 and Lot C-3

#27323
Wichita State University—VANITY BASE CABINETS WITH COUNTER TOPS

#27331
Kansas State University—SEPTEMBER (1986) MEAT PRODUCTS

#66564
University of Kansas Medical Center—RADIOLOGY FORMS

#66565
Kansas State University—COMMUNICATIONS SERVICE MONITOR

#66569
University of Kansas—TIME RECORDER

#66570
Kansas Fish and Game Commission—RIP RAP—PIT RUN, Salina

#66571
University of Kansas Medical Center—MEDICAL GAS/ELECTRIC TRACK

WEDNESDAY, AUGUST 20, 1986

#A-5389
Kansas State Historical Society—REROOF PAWNEE INDIAN VILLAGE MUSEUM, Republic

#66572
Department of Social and Rehabilitation Services—KNITTED SAFETY VEST FABRIC

#66573
University of Kansas Medical Center—IMAGE INTENSIFIER

#66574
Kansas State Industrial Reformatory and Department of Corrections—CLOTHING, Hutchinson and El Dorado Honor Camp

#66575
Kansas Fish and Game Commission—RIP RAP—PIT RUN, Hiawatha and Atchison

#66580
Department of Transportation—VIDEO TAPE EQUIPMENT

#66581
Kansas Correctional Industries—ALUMINUM SHEETS

#66582
Kansas Correctional Industries—STEEL SHEETS

#66583
Department of Administration, Division of Printing—ENVELOPES WITH POLY WINDOW

THURSDAY, AUGUST 21, 1986

#A-5562
Parsons State Hospital and Training Center—TOILET COMPARTMENT REPLACEMENT, 10 cottages

#66592
Department of Social and Rehabilitation Services—MOP YARN

#66593
Department of Social and Rehabilitation Services—CORD

#66594
Department of Social and Rehabilitation Services—SUPPLY/INSTALL VAN LIFT AND MODIFY VAN, Osage City and Salina

#66595
University of Kansas Medical Center—LAB APPARATUS

#66598
Topeka State Hospital—MOWER

#66599
Department of Transportation—COLD ASPHALTIC CONCRETE MIX, various locations

#66600
Wichita State University—SCHOOL FURNITURE

FRIDAY, AUGUST 22, 1986

#27324
University of Kansas Medical Center—FEEDING FORMULA

#27330
University of Kansas—PRINTING, BINDING AND MAILING OF "THE KANSAS LAW REVIEW"

#66602
University of Kansas—KITCHEN AND DINING ROOM SUPPLIES

#66610
Fort Hays State University—MAILROOM EQUIPMENT

#66611
Kansas State University—IRRIGATION SYSTEM, Garden City

#66613
Department of Transportation—SNOW PLOW BLADES, various locations

#66617
Department of Administration, Buildings and Grounds Services—WINDOW CLEANING

#66618
Winfield State Hospital and Training Center—ADULT DIAPERS AND BED SHEETS

FRIDAY, AUGUST 29, 1986

#27322
Kansas Technical Institute—AIRCRAFT INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 004466

State of Kansas

LEGISLATURE

INTERIM AGENDA

The following committee meetings have been scheduled during the period of August 11 through August 22, 1986:

Date	Room	Time	Committee	Agenda
Aug. 11	526-S	10:00 a.m.	Special Committee on Federal and State Affairs	Tentative— Proposals No. 13 and 15.
Aug. 11 Aug. 12	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Ways and Means	11th: (a.m.) Proposal No. 37. (p.m.) Proposals No. 36 and 40. 12th: Proposal No. 38. (a.m.) Invited conferees. (p.m.) Public hearing.
Aug. 12 Aug. 13	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Legislative Apportionment	12th: Presentation by U.S. Bureau of Census representative. 13th: Continued discussion of Proposal No. 21.
Aug. 12 Aug. 13	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Transportation	Proposal No. 33— Reflectorized Sheeting for License Plates and Road Signs and Two License Tag Requirements.
Aug. 14 Aug. 15	313-S 313-S	10:00 a.m. 9:00 a.m.	Special Committee on Tort Reform and Liability Insurance	14th: Tort reform conferees. 15th: Insurance company conferees.
Aug. 14 Aug. 15	519-S 519-S	10:00 a.m. 9:00 a.m.	Task Force on Business Training—Legislative Commission on Economic Development	14th: New directions for secondary vocational education and governance in publicly sponsored vocational education. 15th: Job training initiatives and accountability in vocational educational programs.
Aug. 14 Aug. 15	514-S 514-S	10:00 a.m. 9:00 a.m.	Task Force on Higher Education—Legislative Commission on Economic Development	Agenda to be determined.
Aug. 18 Aug. 19	527-S 522-S	10:00 a.m. 9:00 a.m.	Special Committee on Public Health and Welfare	Proposal No. 24—Access to Health Care for the Medically Indigent.
Aug. 19 Aug. 20	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Energy and Natural Resources	Briefing and hearing on Proposal No. 6—Municipal Annexation of Electric Service Territory.

Aug. 19	527-S	10:00 a.m.	Legislative Educational	Agenda to be determined.
Aug. 20	527-S	9:00 a.m.	Planning Commission	
Aug. 21	514-S	10:00 a.m.	Joint Committee on	Review of the regulations of the Board of Pharmacy; comments by the Board of Pharmacy.
Aug. 22	514-S	9:00 a.m.	Administrative Rules and Regulations	
Aug. 21	123-S	10:00 a.m.	Special Committee on	Agenda to be determined.
Aug. 22	123-S	9:00 a.m.	Financing of Regents' Institutions	

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 004463

State of Kansas

OFFICE OF JUDICIAL ADMINISTRATION
COURT OF APPEALS DOCKET

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
Court of Appeals Courtroom
2nd Floor, Judicial Center
301 W. 10th, Topeka, Kansas

Before Brazil, P.J.; Terry L. Bullock, District Judge, assigned;
and Frederick Woleslagel, District Judge Retired, assigned

Monday, August 11, 1986
9:00 a.m.

Case No.	Case Name	Attorney	County
58,738	State of Kansas, appellee,	Sue Carpenter, Assistant District Attorney Attorney General	Shawnee
	v.		
	Harvey Klitz, appellant.	Ronald E. Wurtz	
59,139	Rhoda Vogel, appellee,	Eric Kjorlie	Shawnee
	v.		
	William G. Haynes, appellant.	William G. Haynes, <i>pro se</i>	
58,963	Northeast Kansas Prod. Credit Association, appellee,	Marlin White	Brown
	v.		
	W. J. Ferbrache, Grace Ferbrache and James L. Ferbrache, appellants.	Ronald R. Gooding	
58,877	Elk State Bank, appellee,	David D. Swenson	Cloud
	v.		
	Dwaine L. Mellies and Glenda L. Mellies, appellants.	Dwaine L. Mellies, <i>pro se</i> Glenda Mellies, <i>pro se</i>	
58,371	State of Kansas, appellee,	John L. Swarts III, Assistant County Attorney Attorney General	Geary
	v.		
	Garland T. Hull, appellant.	Albert R. Bandy	

(continued)

1:30 p.m.

59,181	In the Matter of the Marriage of Kathleen Yvonne Signor and Detlov J. K. Signor.	Doug Thompson Howard Fick	Geary
(57,420) (57,917) (Consol.)	The National Bank of America at Salina, appellee, v. Bonnie Jean Clemence, Roy Arthur Clemence, <i>et al.</i> , appellants.	James T. Graves Max M. Hinkle John C. Conderman Patricia A. Reeder Dale L. Somers Robert H. Royer, Jr. David C. Seitter Jack Stewart	Ottawa
58,727	LaVerne D. Castleberry, appellant, v. Marvin C. Obermeyer, appellee.	Doug Thompson Jack N. Stewart	Dickinson
58,723	Roberta G. Forney, Adm., <i>et al.</i> , appellants, v. I. Verdene Henderson, Adm., <i>et al.</i> , appellees.	Don C. Krueger Michael G. Patton	Lyon

Tuesday, August 12, 1986

9:00 a.m.

Case No.	Case Name	Attorney	County
58,707	Federal Land Bank of Wichita, appellee, v. Melvin and Henrietta Matzke, appellants.	John D. Conderman Melvin Matzke, <i>pro se</i> Henrietta Matzke, <i>pro se</i>	Pottawatomie
58,258	State of Kansas, appellee, v. Alvin Matzke, appellant.	Henry Otto, County Attorney Attorney General Alvin Matzke, <i>pro se</i>	Pottawatomie
(58,781) (58,785) (Consol.)	In the Interest of R.P. In the Interest of K.C.P.	John A. Sparks, County Attorney James W. Morrison, Gdn. A/L Larry E. Bengtson Robert C. Littrell Robert L. Earnest Peter E. Rinn John E. Lang Attorney General	Pottawatomie
(57,949) (58,801) (Consol.)	In the Matter of the Marriage of Penelope M. Thompson and Roger D. Thompson.	Thomas Brooks Roger D. Thompson, <i>pro se</i>	Johnson

1:30 p.m.

58,754	In the Matter of the Marriage of Jennifer Lynn Urban and Richard Alan Urban.	Bradley D. Thornton Jon Snapp	Washington
58,386	State Bank of Chester, appellant, v. Dale H. Frankamp, Irene Faye Frankamp and the Chase Federal Savings & Loan Association, appellees.	Lawrence R. Uri, Jr. Don W. Noah Karen Black George R. Robertson James L. Hargrove	Republic
58,777	Bonnie L. Wittman, appellant, v. Brothers, Inc., and Charles H. Busch, appellees.	John C. Fay Richard H. Seaton James P. Nordstrom	Riley

58,881 State of Kansas, appellee,
 v.
 Chester P. Zito, appellant.

Greg Kieffer, Assistant County
 Attorney
 Attorney General

Forrest A. Buhler

Riley

Wednesday, August 13, 1986
 9:00 a.m.

Case No.	Case Name	Attorney	County
58,842	Jody Juarez, appellee, v. Paulette Wingo, a Minor, appellant.	Kenneth M. Carpenter	Shawnee
58,874	State of Kansas, appellee, v. Joseph Langford, appellant.	G. H. Griffeth Richard M. Smith, County Attorney	Linn
58,906	Strong City State Bank, appellant, v. Chase County Services, <i>et al.</i> , appellees.	Lucile Marino Benjamin C. Wood R. E. Miller	Chase
58,764	Henry Williams, appellant, v. Herb Maschner, appellee.	W. Lee Fowler D. W. Wheeler Merlin Wheeler Gary L. Fuller	Leavenworth
1:30 p.m.			
59,223	Commissioner of Insurance for State of Kansas as Administrator of the Kansas Workers' Compensation Fund, appellant, v. Steven D. Bennett, dba B.V.F. Tank Truck & Oil Field Serv., appellee.	Chris Miller	Jackson
58,852	M. Jackson and J. Jackson, Minors, by Charles Jackson; S. Kirkham and J. Frazier, Minors by Charles Jackson, appellants, v. Jim Wood, individual and dba Elfin Acres Trailer Court, appellee.	Frank D. Taff Martha M. Snyder	Riley
58,261	State, <i>ex rel.</i> , Secretary, State Dept. of Social and Rehabilitation Services, appellant, v. Donnes Twin, aka Donnes Seymour, appellee.	John F. Stites Drew Frackowiak Phillip A. Burdick	Jackson

(continued)

Kansas Court of Appeals
Division No. 5, Wyandotte County Courthouse
Kansas City, Kansas

Before Abbott, C.J.; Rees and Davis, JJ.

Monday, August 11, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,631 S.C.	State of Kansas, appellee,	Bruce Beye, Assistant District Attorney Attorney General	Johnson
	v. James Salvatore Lowe, aka Ogi Lowe, appellant.	David R. Gilman	
58,998	State of Kansas, appellant,	Bruce W. Beye, Assistant District Attorney Attorney General	Johnson
	v. Jeffrey A. Taubin, appellee.	David Gilman	
58,701	John J. Mallon, F. Sophia Mallon, Stephen M. Knecht, <i>et al.</i> , appellants,	Merlin G. Wheeler	Lyon
	v. City of Emporia, appellee.	Dale W. Bell	
58,797 S.C.	State of Kansas, appellee,	Wesley K. Griffin, Assistant District Attorney Attorney General	Wyandotte
	v. Susan Randazzo, appellant.	Carl E. Cornwell	
58,897	Edwin Rust II and The Center, Inc., appellants,	Gwen G. Caranchini J. Chris Morse	Wyandotte
	v. City of Kansas City, appellee.	Daniel Denk	
58,600	Martha Olson, appellant,	R. Owen Watchous	Johnson
	v. State Highway Comm. of Kansas and J. A. Tobin Const. Co., appellee.	Lisa Schwinn Jeffrey L. Lauersdorf	
58,883	In the Matter of the Joint Tenancy of Lonnie D. Hammer, Deceased, and Carolyn J. Hammer.	Pamel S. Yeary Muriel Yates Harris	Wyandotte

Tuesday, August 12, 1986
9:30 a.m.

Case No.	Case Name	Attorney	County
58,648	Gladys Booth, appellant,	Joe L. Norton	Johnson
	v. Marvin Hiatt, appellee,	Edward M. Boyle	
58,665	Robert G. Dunn III by Robert G. Dunn, Jr., appellant,	Mark A. Johnson Paul L. Redfearn	Johnson
	v. City of Lenexa, appellee.	Susan Baker	
58,464	State of Kansas, appellee,	Nick Tomasic, District Attorney Attorney General	Wyandotte
	v. Ulysses Herbert, appellant.	Rosie M. Quinn	
58,847	Donald R. Mather, appellee,	J. R. Russell	Wyandotte
	v. Caroline Calloway, appellant.	JoElaine Heaven	

1:30 p.m.

58,684	In the Matter of E.L.D.	John S. Sutherland John B. Knudson, Assistant District Attorney Attorney General Carl Black, Gdn A/L George Bell	Wyandotte
58,394	Becky Davis, aka Rebecca Davis and Ronnie Davis, appellants, v. Melvin Odell, Gloria Odell, and Madalein Odell, appellees.	Paul M. Dent Richard Scaletty Edward Powers, Jr.	Wyandotte
58,547	James R. Perkins, appellee, v. John Shockey and Janet Sharp, dba Sav-on Auto Sales, appellants.	Charles R. Harvey James F. Foster	Wyandotte
58,439	Eddie Nash, Administrator of Estate of Annie Nash, Deceased, Appellee, v. Dorothy and John Larkins and Melvin Douglas, Appellants.	Ann McDonald Daniel A. Duncan	Wyandotte

Wednesday, August 13, 1986

9:30 a.m.

Case No.	Case Name	Attorney	County
58,626	Robert H. Hellebuyck, Jr., appellee, v. State Dept. of Revenue, appellant.	Keith Martin Thomas E. Hatten William L. Edds Kris E. McKinney	Johnson
58,516	Dean E. Small, appellee, v. John B. Kemp, Secretary of Transportation, appellant.	James T. Wiglesworth Ronald D. Garrison	Johnson
58,176	Barbara G. Barton and Edward Lawrence Winn III, Co-Exec. Estate of E. L. Winn II, appellees, v. Marian Finnell, aka Marian Winn, appellant.	James R. Orr John H. Fields	Johnson

LEWIS C. CARTER
Clerk of the Appellate Courts

Doc. No. 004349

(Published in the KANSAS REGISTER, August 7, 1986.)

NOTICE OF BOND SALE
\$1,360,000
GENERAL OBLIGATION BONDS
SERIES A OF 1986
OF THE
CITY OF LAWRENCE, KANSAS
 (general obligation bonds payable
 from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the undersigned, City Clerk of the City of Lawrence, Kansas, on behalf of the governing body at the office of the City Clerk, 6 E. 6th, Lawrence, Kansas, until 11 a.m. C.D.T. on Tuesday, August 19, 1986, for the purchase of \$1,360,000 principal amount of general obligation bonds, series A of 1986, of the city of Lawrence, Kansas. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body at the regular meeting of said body which will be held at 7 p.m. August 19, 1986. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in denominations of \$5,000 or any integral multiple thereof, dated September 1, 1986, and become due serially on September 1 in the years as follows:

Year	Principal Amount
1988	\$ 80,000
1989	130,000
1990	130,000
1991	140,000
1992	140,000
1993	140,000
1994	150,000
1995	150,000
1996	150,000
1997	150,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year beginning on March 1, 1988.

Interest Rate and Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. The difference between the highest interest rate bid and the lowest rate of interest bid shall not exceed 2 percent per annum. 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 Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold (August 19, 1986), plus 2 percent, and no bid of less than par and accrued interest will be considered.

A bid for the purchase of less than all of the bonds or bid at a price less than par and accrued interest will not be considered.

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 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 bondowners.

The number 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 bond registrar at least two weeks prior to the closing date.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the city and should be addressed to Vera Mercer, City Clerk, 6 E. 6th, P.O. Box 708, Lawrence, KS 66044, plainly marked "Bond Bid," and must be received by 11 a.m. C.D.T. on August 19, 1986. 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 net interest rate, all certified by the bidder to be correct, and the city may rely upon the certificate of correctness of the bidder. No bid will be considered if made on other than the official bid form and no bid will be considered if such form is amended or modified. Each bid must be accompanied by a certified or cashier's check in the amount of 2 percent of the total par value of the bonds payable to the City of Lawrence, Kansas, on which no interest will be allowed. The checks of unsuccessful bidders will be returned promptly. The check of the successful bidder or the proceeds thereof will be held as security for the performance of the contract to purchase the bonds, but in the event that the successful bidder shall fail to comply with the terms of the bid, the check or the proceeds thereof shall then be forfeited and retained by the city as and for liquidated damages.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 12-110c and 13-1024a, as amended and supplemented, K.S.A. 12-685 *et seq.*, and K.S.A. 12-6a01 *et seq.*, as amended and supplemented, for the purpose of paying the cost of certain internal improvements. 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.

Award of the Bonds

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 all of the bids and to waive any irregularities or informalities. 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 bid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities. If there is a discrepancy between the lowest net interest cost and the average annual interest rate specified, the net interest cost figure shall govern and the interest rates in the bid shall be adjusted accordingly. In the event more than one bid is received at the same net interest cost, the successful bidder will be selected by lot.

Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 45 days from the date of the sale, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. The successful 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 or other funds which shall be available, immediately subject to use by the city.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law, would be applicable to the bonds.

The city will covenant to take all actions necessary to comply with the provisions of the bill in order to maintain the federal tax exempt status of the interest on the bonds. In the opinion of bond counsel, assuming continuing compliance by the city with such covenant, interest on the bonds would continue to be exempt from federal income taxation if the bill becomes law in its present form, except that for taxable years beginning after 1987, the interest on the bonds may be included in adjusted net gain for purposes of the minimum tax imposed on property and casualty insurers under Section 1023 of the bill.

The bill is subject to change, and if it becomes law may contain requirements which differ from those

contained in the bill. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On June 24, 1986, the U.S. Senate adopted an amendment in the nature of a substitute to the bill. If the amendment is enacted in its present form, the provisions thereof regarding tax exempt bonds would be effective on the date of enactment of the amendment, and generally would not affect bonds issued prior to enactment. One exception is that after December 31, 1986, the amendment treats as a tax preference item included in the alternative minimum tax base for corporations, 50 percent of the amount by which adjusted net book income (which includes tax exempt interest earned on all obligations regardless of when issued) exceeds alternative minimum taxable income (which does not include such tax exempt interest). Thus, under the amendment, interest on the bonds may be subject to an alternative minimum tax for taxable years beginning after December 31, 1986, when the bonds are held by corporations.

Legal Opinion and Tax Exemption

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 state that in the opinion of bond counsel, 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.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for said bonds in accordance with the terms of this notice. All expenses in relation to printing of CUSIP numbers on said bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the city.

Official Statement

The city has prepared an official statement, copies of which may be obtained from the city clerk.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city, for the year 1986, is as follows:

Assessed valuation of real estate	\$ 96,825,350
Assessed valuation of personal property	34,668,615
Assessed valuation of state assessed property	9,807,714
Total assessed tangible valuation for computation of bonded debt limitations	\$141,301,679

(continued)

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$20,640,800. Temporary notes in the principal amount of \$1,559,800 will be retired out of proceeds of the bonds and other available funds.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk.

Dated July 29, 1986.

City of Lawrence, Kansas
 By Vera Mercer, City Clerk
 6 E. 6th, P.O. Box 708
 Lawrence, KS 66044
 (913) 841-7722, Ext. 202

Doc. No. 004462

(Published in the KANSAS REGISTER, August 7, 1986.)

**AMENDED
 NOTICE OF BOND SALE
 \$8,000,000
 CITY OF WICHITA, KANSAS
 AIRPORT IMPROVEMENT
 GENERAL OBLIGATION BONDS
 (SERIES 709)
 (general obligation bonds payable
 from unlimited ad valorem taxes)**

Sealed bids will be received in the office of the City Clerk, City Hall, 455 N. Main, Wichita, KS 67202-1679, until 10 a.m. C.D.T., on August 12, 1986, and will thereafter be considered by the governing body of the city in the City Commission Room, at which time and place all proposals will be publicly opened, read aloud, and considered for the purchase of all, but not less than all of the series 709 general obligation bonds aggregating the principal sum of \$8,000,000. No oral or auction bids will be considered.

Details of the Bonds

The series 709 bonds shall be issued in the form of fully registered certificated bonds without coupons, in the denomination of \$5,000 or in integral multiples thereof, not exceeding the principal amount of bonds maturing in each year. Interest on the series 709 bonds will be payable semiannually, commencing February 1, 1987 and each August 1 and February 1 thereafter. The series 709 bonds shall be dated August 1, 1986 and shall become due serially on August 1, in each of the years and in the principal amounts, as follows:

Date of Maturity	Amount
August 1, 1987	\$290,000
August 1, 1988	320,000
August 1, 1989	340,000
August 1, 1990	370,000
August 1, 1991	400,000
August 1, 1992	430,000
August 1, 1993	470,000
August 1, 1994	500,000
August 1, 1995	550,000
August 1, 1996	590,000
August 1, 1997	640,000
August 1, 1998	690,000

August 1, 1999	740,000
August 1, 2000	800,000
August 1, 2001	870,000

Place of Payment

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 trust office of The Chase Manhattan Bank, N.A., in the city and state of New York (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 and bond registrar 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.

Redemption

Bonds maturing in the years 1987 to 1990, inclusive, shall become due without option of prior payment. At the option of the city, bonds maturing in the years 1991, and thereafter, 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, 1990, or on any interest payment date thereafter at the redemption prices set forth below (expressed as percentages of the principal amount), plus accrued interest to the redemption date:

Redemption Dates	Redemption Price
1990-1992	101.00%
1993-1995	100.50%
1996, and thereafter	100.00%

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, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the Treasurer of the State of Kansas, Topeka, Kansas, and to the manager or managers of the underwriting account making the successful bid, said notice 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.

Interest Rate

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the

bidders. The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be in an even multiple of 1/8 or 1/20 of 1 percent. The difference between the highest interest rate bid and the lowest rate of interest bid shall not exceed 2 percent per annum. 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 Credit Markets in New York, New York on the Monday next preceding the day on which the bonds are sold (July 28, 1986), plus 2 percent, and no bid of less than par and accrued interest will be considered. A bid for the purchase of less than all of the bonds or bid at a price less than par and accrued interest will not be considered.

Bid Form and Good Faith Deposit

Bids shall be submitted on the official bid form furnished by the city and should be addressed to Donald C. Gisick, City Clerk, 455 N. Main, Wichita, KS 67202-1679, 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 net interest rate, all certified by the bidder to be correct, and the city may rely upon the certificate of correctness of the bidder. No bid will be considered if made on other than the official bid form and no bid will be considered if such form is amended or modified. Each bid must be accompanied by a certified or cashier's check in the amount of 2 percent of the total par value of the bonds payable to the City Treasurer, City of Wichita, on which no interest will be allowed. The checks of unsuccessful bidders will be returned promptly. The check of the successful bidder or the proceeds thereof will be held as security for the performance of the contract to purchase the bonds, but in the event that the successful bidder shall fail to comply with the terms of the bid, the check or the proceeds thereof shall then be forfeited and retained by the city as and for liquidated damages.

Award of the Bonds

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 all of the bids, and to waive any irregularities or informalities. 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 bid from the aggregate amount of interest upon all of the bonds from their date until their respective maturities. If there is a discrepancy between the lowest net interest cost and the average annual interest rate specified, the net interest cost figure shall govern and the interest rates in the bid shall be adjusted accordingly. In the event more than one bid is received at the same net interest cost, the successful bidder will be selected by lot.

Delivery and Payment

The bonds, duly printed, executed and registered, will be furnished and paid for by the city. Delivery of the bonds will be made on or before August 28, 1986,

at any bank or trust company in New York, New York. Payment shall be made in immediately available federal reserve funds. The number, denomination of bonds, and the names and tax identification numbers of the initial registered owners to be initially printed on the bonds must be submitted in writing by the successful bidder to the bond registrar at least 10 business days prior to the date of delivery of the bonds. In the absence of such information, the city will deliver the bonds in the denomination of each maturity registered in the name of the successful bidder.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill presently is pending in the Senate. The bill imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law, would be applicable to the bonds.

The bill is subject to change, and, if it becomes law, may contain requirements which differ from those contained in the bill. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On March 14, 1986, a joint statement was issued by key congressional leadership and the Secretary of the Treasury of the United States concerning a delay in the effective date of certain provisions of the bill. The city has relied on the joint statement in issuance of the bonds.

On June 24, 1986, the U.S. Senate adopted an amendment in the nature of a substitute to the bill. The amendment contains a provision which would provide that the alternative minimum taxable income of an applicable corporation shall be increased by one-half of the amount by which the "adjusted net book income" of such corporation exceeds the "pre-book alternative taxable income" of such corporation. The effect of such provision may be to subject the interest on the bonds held by corporations to the alternative minimum tax provisions of the bill for taxable years commencing after December 31, 1986.

Legal Opinion

The bonds will be sold subject to 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. The cost of this legal opinion and the expenses of printing the bonds and legal opinion will be paid by the city. The legal opinion will state in part substantially that the

(continued)

bonds and the interest thereon constitute general obligations of the city payable as to both principal and interest from ad valorem taxes without limitation as to rate or amount upon all the taxable property within the territorial limits of said 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. A manually signed original of such opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. 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 and a certificate relating to the completeness and accuracy of the official statement and notice of bond sale.

Purpose of Issue

The bonds are being issued pursuant to K.S.A. 13-1348a, as amended by Charter Ordinance No. 78 and 3-162 *et seq.*, as amended, for the purpose of paying the cost of making certain improvements to the airport facilities of the city of Wichita, Kansas, operated by the Wichita Airport Authority.

Security

Pursuant to the Act, the Wichita Airport Authority has pledged the net income from the Wichita Mid-Continent Airport and the Colonel James Jabara Airport facilities to pay the principal of and interest on the bonds by a resolution of the Wichita Airport Authority under date of May 13, 1986, and the bonds and the interest thereon will also constitute general obligations of the city. If said net income is insufficient to pay the principal of or interest on said bonds, the governing body of the city of Wichita, Kansas is required to levy ad valorem taxes without limitation as to rate or amount upon all the taxable property within the territorial limits of said city to pay the principal of and interest on the bonds.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and to pay for said bonds in accordance with the terms of this notice. All expenses in relation to printing of CUSIP numbers on said bonds and the expenses of the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the city.

Assessed Valuation

The assessed valuation of all taxable tangible property within the city of Wichita, Kansas, for the year 1985, is as follows:

Equalized assessed valuation of taxable tangible property	\$ 980,243,519
Estimated tangible valuation of motor vehicles	<u>196,171,738</u>

Equalized assessed tangible valuation for computation of bonded indebtedness limitations	<u>\$1,176,415,257</u>
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Bonded Indebtedness

The total bonded indebtedness of the city of Wichita, Kansas, as of June 1, 1986, including the bonds described in this notice of bond sale in the aggregate amount of \$8,000,000, is \$256,645,000, which amount excludes all revenue bonds. In addition, the city has outstanding temporary notes in the amount of \$21,365,000.

Rating of the Bonds

Moody's Investors Service has assigned a rating of Aa to the bonds. The city has applied to Standard & Poor's Corporation for a rating on the bonds. General obligation bonds issued by the city of Wichita since 1975 have been rated Aa by Moody's Investors Service and rated AA by Standard & Poor's Corporation.

Other Pending Bond and Temporary Note Issues

Neither the city of Wichita, nor Sedgwick County, nor Unified School District 259 (Wichita Public School System) contemplates the issuance of any additional general obligation bonds within the next 30 days. The city is evaluating the sale of temporary improvement notes to be dated October 1, 1986.

Redistribution of Notice and Official Statement

Authorization is given to redistribute this notice of bond sale and the official statement, but the entire notice of bond sale and official statement, and not portions thereof, must be redistributed. The successful bidder, upon request, will be furnished with 50 copies of the notice of bond sale and official statement without cost; additional copies will be furnished at a nominal charge.

Official Statement

This notice of bond sale and the official statement has been prepared under the authority of the governing body of the city of Wichita, Kansas. Additional copies of this notice of bond sale, copies of the official statement, or further information may be received from the office of the City Treasurer, City Hall, 455 N. Main, Wichita, KS 67202-1679, (316) 268-4212.

Figures used in this notice of bond sale and in the official statement through December 31, 1985 were obtained from the city of Wichita, Kansas financial records as of December 31, 1985, which report will be audited by an outside firm of certified public accountants appointed by the governing body of the city of Wichita, Kansas.

BY ORDER OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
By Tony Casado, Mayor
Attest: Donald C. Gisick, City Clerk

Doc. No. 004454

(Published in the KANSAS REGISTER, August 7, 1986.)

NOTICE OF BOND SALE
\$210,000
GENERAL OBLIGATION
STREET IMPROVEMENT BONDS
SERIES B, 1986
OF THE
CITY OF OXFORD, KANSAS
 (general obligation bonds payable
 from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received by the undersigned, City Clerk of the City of Oxford, Kansas, on behalf of the governing body at the City Hall, Sumner and Clark, Oxford, Kansas, until 7 p.m. C.D.T. on Tuesday, August 19, 1986, for the purchase of \$210,000 principal amount of general obligation street improvement bonds, series B, 1986, 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. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in denominations of \$5,000 or any integral multiple thereof, dated August 15, 1986, and becoming due serially on December 1 in the years as follows:

Year	Principal Amount
1987	\$10,000
1988	15,000
1989	20,000
1990	20,000
1991	20,000
1992	20,000
1993	25,000
1994	25,000
1995	25,000
1996	30,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 1987.

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 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 bondowners.

The number 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 and bond registrar at least two weeks prior to the closing date.

Redemption of Bonds Prior to Maturity

Bonds maturing in the years 1987 to 1991, inclusive, shall become due without option of prior payment. At the option of the city, bonds maturing in the years 1992 and thereafter 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 December 1, 1991, or on any interest payment date thereafter at the redemption price of 102 percent (expressed as a percentage of the principal amount), plus accrued interest to the redemption date.

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, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said bonds, to the Treasurer of the State of Kansas, Topeka, 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 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 percent. No interest rate shall exceed a rate equal to the 20 bond index of tax exempt municipal bonds published by Credit Markets in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. No bid of less than the entire 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 bonds 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, 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 shall also specify the average annual net interest rate to the city on the basis of such bid.

(continued)

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. The city reserves the right to reject any and all bids and to waive any irregularities in a submitted bid.

Authority, Purpose and Security

The bonds are being issued pursuant to K.S.A. 12-685 *et seq.*, as amended and supplemented, for the purpose of paying the cost of certain street improvements. The bonds and the interest thereon will constitute general obligations of the city, 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.

Pending Federal Legislation Concerning Tax Exempt Obligations

On December 17, 1985, the U.S. House of Representatives passed H.R. 3838, the Tax Reform Act of 1985. The bill imposes additional requirements which must be satisfied in order for interest on obligations issued by or on behalf of state and local governments to be exempt from federal income taxation. Such requirements generally are effective for all obligations issued after December 31, 1985, and thus, if the bill becomes law, would be applicable to the bonds.

The bill is subject to change, and if it becomes law may contain requirements which differ from those contained in the bill. Therefore, there can be no assurance that the city will be able to comply with such requirements. The failure or inability of the city to comply with the requirements of the bill could jeopardize the tax exempt status of the bonds from their date of issuance. Bondholders should be aware that in such event, the bonds are not callable, nor will the interest rate on the bonds be adjusted to reflect the loss of the tax exemption.

On March 14, 1986, a joint statement was issued by key congressional leadership and the Secretary of the Treasury of the United States concerning a delay in the effective date of certain provisions of the bill. The city has relied on the joint statement in issuance of the bonds.

On June 24, 1986, the U.S. Senate adopted an amendment in the nature of a substitute to the bill. The amendment contains a provision which would provide that the alternate minimum taxable income of an applicable corporation shall be increased by one-half of the amount by which the "adjusted net book income" of such corporation exceeds the "pre-book alternative taxable income" of such corporation. The

effect of such provision may be to subject the interest on the bonds held by corporations to the alternative minimum tax provisions of the bill for taxable years commencing after December 31, 1986.

The city intends to designate the bonds as qualified tax exempt obligations under Section 802(e) of the bill.

Legal Opinion and Tax Exemption

The bonds will be sold subject to the legal opinion of Gaar & Bell, Wichita, 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 state that in the opinion of bond counsel, 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.

Delivery and Payment

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 28, 1986, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. The successful 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 equal to 2 percent of the total amount of the bid payable to the order of the city. If a bid is accepted, said check or the proceeds thereof will be held by the city until the bidder shall have complied with all of the terms and conditions of this notice. 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 or the proceeds thereof will be returned to the bidder. If a bid is accepted but the bidder defaults 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. No interest will be paid upon the successful bidder's good faith check.

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.

(Published in the KANSAS REGISTER, August 7, 1986.)

Bid Forms

All bids must be made on forms which may be procured from the city clerk or the financial adviser. 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 and all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Bond Bid." 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 p.m. C.D.T. on August 19, 1986.

Official Statement

The city has prepared an official statement dated July 29, 1986, copies of which may be obtained from the city clerk or from the financial adviser. Upon the sale of the bonds, the city will furnish the successful bidder with a reasonable number of copies thereof without additional cost upon request. Additional copies may be ordered by the successful bidder at his expense.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city, for the year 1985, is as follows:

Equalized assessed valuation of taxable tangible property	\$1,393,285
Tangible valuation of motor vehicles	\$ 597,587
Equalized assessed tangible valuation for computation of bonded debt limitations ..	\$1,990,872

The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,037,507.74.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, or from the financial adviser, Mid-Continent Municipal Investments, Inc., 333 Century Plaza Building, Wichita, KS 67202, Attention: David K. Malone, (316) 262-5161.

Dated July 29, 1986.

CITY OF OXFORD, KANSAS
 By Sandra Vaughn, City Clerk
 City Hall
 Sumner and Clark
 Oxford, KS 67119
 (316) 455-2223

Doc. No. 004455

**NOTICE OF REDEMPTION
 CITY OF LARNED, KANSAS
 HOSPITAL REVENUE BONDS
 SERIES 1982-A**

(ST. JOSEPH MEMORIAL HOSPITAL)

In accordance with written instructions received by the undersigned from the Board of Directors of St. Joseph Memorial Hospital, a Kansas not-for-profit corporation, notice is hereby given that pursuant to Section 301 of Ordinance No. 1072 of the city of Larned, Kansas, passed and approved on February 22, 1982, there will be redeemed on September 1, 1986 all outstanding city of Larned, Kansas, hospital revenue bonds, series 1982-A (St. Joseph Memorial Hospital), which bonds mature on February 1 in each of the years from 1987 to 1998, inclusive, and on February 1, 2011, and are numbered from 9 to 771, inclusive. Said bonds will be redeemed at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date.

St. Joseph Memorial Hospital has reserved the right to rescind its election to cause redemption of the bonds as aforesaid by giving written notice thereof to the undersigned any time prior to September 1, 1986.

On September 1, 1986, all bonds will be due and payable at the principal office of the Southwest National Bank of Wichita, Wichita, Kansas. All coupons maturing subsequent to September 1, 1986 must be attached and surrendered with said bonds. From and after September 1, 1986, interest on the aforesaid bonds will cease to accrue.

Dated July 28, 1986.

THE SOUTHWEST NATIONAL BANK
 OF WICHITA
 Fiscal Agent
 P.O. 1401
 Wichita, KS 67201

Doc. No. 004440

State of Kansas

STATE CORPORATION COMMISSION

**NOTICE OF
 MOTOR CARRIER HEARINGS**

Applications set for hearing are to be heard at 9:30 a.m. before the State Corporation Commission, State Office Building, fourth floor, Topeka, 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 66612, (913) 296-3808 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."

(continued)

Application set for August 19, 1986

**Renoticed Application for Contract
Carrier Permit:**

Oil Producers, Inc.) Docket No. 150,956 M
of Kansas)
1346 N. Woodlawn)
Wichita, KS 67208)

Applicant's Attorney: Christopher O'Brien, 331 E.
Douglas Ave., Wichita, KS 67202-3405

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

Between all points and places in Pratt, Kingman,
Edwards, Barber, Stafford and Kiowa counties, Kan-
sas, on the one hand, and on the other, all points and
places in Kansas.

Applications set for August 28, 1986

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

Carl D. Peak) Docket No. 150,963 M
General Delivery)
Paxton, NE 69155)

Applicant's Attorney: None

Agricultural commodities,

Between points and places in Kansas.

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

Brockhoff Feed Yard, Inc.) Docket No. 76,651 M
Fairview, KS 66425) MC ID No. 100778
TO:

Dale Baker, dba
Dale Baker Trucking
340 W. 16th
Box 188
Horton, KS 66439

Applicant's Attorney: Clyde Christey, Southwest
Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS
66614

Livestock (in minimum loads of 5000 pounds),

Between all points and places within a 25-mile
radius of Hiawatha, Kansas.

Also,

Between all points and places within a 25-mile
radius of Hiawatha, Kansas, on the one hand, and all
points and places in Kansas, on the other.

Unprocessed farm products, hay, grain and seeds,

Between all points and places in Kansas within a
25-mile radius of Sabetha, Kansas, and between all
points and places within said radius on the one hand,
and all points and places in the state of Kansas, on the
other.

Flax and soy beans,

From all points and places in Kansas within a 25-
mile radius of Sabetha, Kansas, to mills at or near
Emporia and Hiawatha, Kansas.

Processed mill feeds,

Between all points and places in Kansas within a
25-mile radius of Sabetha, Kansas.

Also,

Between all points and places within said radius, on
the one hand, and Topeka, Junction City, Abilene,
Marysville, Blue Rapids, Beloit, Fredonia, Emporia,
Hiawatha, Clay Center and Kansas City, Kansas, on
the other.

Commercial fertilizer,

From Atchison, Topeka and Kansas City, Kansas, to
Sabetha, Morrill and Hamlin, and all farms and rural
locations in Kansas within a 25-mile radius of Sabetha,
Kansas.

Also,

From Crestline, Kansas, in truck load lots of not less
than 8000 pounds, to Sabetha, Morrill and Hamlin,
and all farms and rural locations within a 25-mile
radius of Sabetha, Kansas.

Farm machinery,

Between all points and places in Kansas, within a
25-mile radius of Sabetha, Kansas.

Also,

Between all points and places in Kansas within said
radius, on the one hand, and Topeka and Kansas City,
Kansas, on the other.

Building material and fencing material,

Between any town within a 10-mile radius of Sa-
betha, Kansas, on the one hand, and any farm within
said radius, on the other.

Also,

Between Topeka, Kansas, on the one hand, and
farms within a 10-mile radius of Sabetha, on the other.

Building material,

From Topeka, Atchison and Kansas City, Kansas, to
Sabetha and all farms and rural locations in Kansas,
within a 25-mile radius of Sabetha, Kansas.

Hardware,

From Kansas City, Kansas, Topeka and Atchison,
Kansas, to Sabetha and all farms and rural locations
within a 25-mile radius of Sabetha.

Brick and tile,

Between brick and tile plants at or near Kansas City,
Kansas, Fredonia, Humboldt, Buffalo and Pittsburg,
Kansas, on the one hand, and Sabetha and farms and
rural locations within a 25-mile radius of Sabetha,
Kansas, on the other.

Emigrant farm movables,

Between all points and places in Kansas within a
25-mile radius of Sabetha, when moving from farm to
farm, farm to town and town to farm.

Application for Extension of Certificate of Convenience and Necessity:

Dale Baker, dba) Docket No. 76,651 M
 Dale Baker Trucking)
 340 W. 16th)
 Box 188)
 Horton, KS 66429)

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 202, 3601 W. 29th, Topeka, KS 66614

Livestock, hay, grain, dry feed, dry feed ingredients, fertilizer (except anhydrous ammonia), seeds, farm machinery and fencing materials,

Between points and places in Nemaha, Brown, Doniphan, Atchison, Leavenworth, Wyandotte, Jefferson, Jackson, Pottawatomie, Wabaunsee, Shawnee, Lyon, Saline, Sedgwick and Reno counties.

Also,

Between points and places in the above described territory, on the one hand, and points and places in the state of Kansas, on the other hand.

Building materials,

Between points and places in Nemaha and Brown counties.

Also,

Between points in Shawnee County, on the one hand and points in Nemaha and Brown counties, on the other hand.

Also,

From Shawnee, Atchison and Wyandotte counties to points in Nemaha and Brown counties.

Hardware,

From Wyandotte, Shawnee and Atchison counties to points in Nemaha and Brown counties.

Brick and tile,

Between Wyandotte, Wilson, Allen and Crawford counties, on the one hand, and points in Nemaha and Brown counties, on the other hand.

Application for Transfer of Certificate of Convenience and Necessity:

Jerry Nicholas, dba) Docket No. 143,976 M
 Quick Transfer Company)
 9020 Bluestem)
 Wichita, KS 67207) MC ID No. 104597

TO:
 Quick Transfer, Inc.
 9020 Bluestem
 Wichita, KS 67207

Applicant's Attorney: William Barker, 3401 S.W. Harrison, Topeka, KS 66611

General commodities, in truck load lots (except household goods, classes A and B explosives and commodities in bulk),

Between points in Sedgwick County, Kansas, on the one hand, and on the other, all points in Kansas.

Application for Abandonment of Certificates of Convenience and Necessity:

Dale E. Hilyard) Docket No. 146,075 M
 Route 2, Box 190B)
 Independence, KS 67301) MC ID No. 122252
 Applicant's Attorney: None

Application for Abandonment of Certificate of Convenience and Necessity:

Stevens Van Lines,) Docket No. 20,203 M
 Inc.)
 527 Morley Drive)
 Saginaw, MI 48602) MC ID No. 100076

Applicant's Attorney: None

Application for Abandonment of Contract Carrier Permit:

Stevens Van Lines,) Docket No. 138,308 M
 Inc.)
 527 Morley Drive)
 Saginaw, MI 48602)

Applicant's Attorney: None

Application for Certificate of Convenience and Necessity:

Complete Auto Repair,) Docket No. 151,496 M
 Inc.)
 601 Southwest Blvd.)
 Kansas City, KS 66103)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between points and places in Wyandotte County, Kansas.

Also,

Between points and places in Wyandotte County, Kansas, on the one hand, and on the other, points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Francis E. Roush,) Docket No. 150,973 M
 dba)
 Roush Oil Company)
 221 E. Martin)
 P.O. Box 340)
 Stafford, KS 67578)

Applicant's Attorney: Eugene Hiatt, 627 S. Topeka Blvd., Topeka, KS 66603-3294

Petroleum and petroleum products in bulk and tank truck load,

Between all points and places in McPherson, Reno, Barton and Sedgwick counties, Kansas.

(continued)

Also,
 Between all points and places in McPherson, Reno, Barton and Sedgwick counties, Kansas, on the one hand, and on the other, all points and places in Stafford, Pratt, Kingman, Edwards and Rice counties, Kansas.

Application for Certificate of Convenience and Necessity:

Steinbecker Bros.,) Docket No. 150,972 M
 Inc.)
 2600 2nd Ave.)
 Greeley, CO 80631)
 Applicant's Attorney: Charles Williams, Suite 900, 143 Union Blvd., Lakewood, CO 80228

General commodities (except classes A and B explosives, household goods, commodities in bulk and hazardous materials as defined in 49 C.F.R. § 172.101),
 Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Oil Producers, Inc.) Docket No. 151,497 M
 of Kansas)
 1346 N. Woodlawn)
 P.O. Box 8647)
 Wichita, KS 67208)
 Applicant's Attorney: Christopher O'Brien, 331 E. Douglas, Wichita, KS 67202-3405

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, in bulk, fresh water and salt water,
 Between points and places in Pratt, Kingman, Barber, Edwards, Kiowa, Stafford, Barton, Rooks, Ellis, Trego and Decatur counties, Kansas, on the one hand, and all points and places in the state of Kansas, on the other.

Applications set for September 9, 1986

Application for Extension of Certificate of Convenience and Necessity:

Patterson Enterprises,) Docket No. 149,000 M
 Inc.)
 Route 2)
 Garnett, KS 66032) MC ID No. 122330
 Applicant's Attorney: William Barker, 3401 S.W. Harrison, Topeka, KS 66611

Gasoline and diesel fuel,

Between all Kansas refineries and pipeline terminals, on the one hand, and on the other, points in Lyon, Woodson, Neosho and Bourbon counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Robert E. Freeman,) Docket No. 146,390 M
 Jr., dba)
 A and A Services)
 1250 Garfield)
 Topeka, KS 66088) MC ID No. 122264
 Applicant's Attorney: None

Persons,

Between points within Shawnee, Pottawatomie, Jackson, Jefferson, Douglas, Leavenworth, Osage, Wabaunsee, Riley, Geary, Brown, Atchison, Nemaha, Wyandotte, Johnson, Miami, Franklin, Anderson, Coffey, Lyon, Chase, Greenwood, Butler, Sedgwick, Harvey, Sumner, Marion, Morris, Dickinson, Saline, Ottawa, Clay, Cloud, Republic, Washington, Marshall, Doniphan, Reno, McPherson, Anderson, Linn, Woodson, Allen, Bourbon, Wilson, Neosho, Crawford, Cowley, Elk, Montgomery, Labette, Cherokee and Chautauqua counties, Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Chester Mercer) Docket No. 35,964 M
 Route 3, Box 189)
 Dunlap, KS 66848) MC ID No. 100375
 Applicant's Attorney: None

Application for Abandonment of Certificate of Convenience and Necessity:

Gary Ludowese, dba) Docket No. 99,784 M
 Gary Ludowese Trucking)
 Route 2)
 Scott City, KS 67871) MC ID No. 101336
 Applicant's Attorney: None

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

Bell Creek, Inc.) Docket No. 107,905 M
 720 W. Elkhorn)
 Arlington, NE 68002) MC ID No. 101681
 Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., Topeka, KS 66612

Livestock,

Between points in the counties of Leavenworth, Jefferson, Jackson, Wabaunsee, Shawnee, Wyandotte, Douglas, Johnson, Osage, Lyon, Chase, Franklin, Miami, Coffey, Anderson, Linn, Greenwood, Woodson, Allen, Bourbon, Wilson, Neosho and Crawford.

Also,

Between points in Kansas lying in and west of Smith, Osborne, Russell, Barton, Stafford, Pratt and Barber counties, Kansas.

Also,

Between points in the above described territories, on the one hand, and on the other, points in Kansas.

Application for Certificate of Convenience and Necessity:

Wayne Jones, dba) Docket No. 151,498 M
JT's Auto & Truck)
Route 1)
Atchison, KS 66002)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between points in Kansas.

Application for Certificate of Convenience and Necessity:

Jarold R. & Charlene) Docket No. 151,499 M
Tucker, dba)
C & J Oil)
25901 W. K-96 Hwy.)
Mount Hope, KS 67108)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles and trailers,

Between points and places in Sedgwick, Harvey, Reno, McPherson and Rice counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

C. W. & W. L. Oglesby) Docket No. 149,849 M
1301 Grand) MC ID No. 103329
Lamar, MO 64759)

Applicant's Attorney: None

Soybeans,

Between all points and places in Crawford and Cherokee counties, Kansas.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 004468

State of Kansas

STATE CORPORATION COMMISSION

NOTICE TO INTRASTATE COMMON AND CONTRACT CARRIERS

The State Corporation Commission would like to clarify and expand its notice published in the Kansas Register on May 1, 1986, requiring prefiled testimony in all intrastate common and contract motor carrier dockets where the applicant is represented by counsel.

Applicants for transfer of common or contract authority shall prefile testimony according to K.A.R. 82-1-229. Testimony should include that of transferor and transferee.

Applicants which have protested must prefile testimony 10 days prior to hearing.

Protestants must prefile all direct, affirmative testimony and exhibits five days prior to hearing. This will allow protestants time to review applicant's testimony and prepare accordingly.

The procedure to be followed at the hearing follows: 1) the testimony should be identified by the sponsoring witness and verified under oath; 2) the witness will be allowed to make any corrections to the testimony, i.e., typographical errors, changes in equipment, financial status, etc.; 3) oral direct testimony will be allowed to clarify prepared testimony, however, all expanding or additional oral direct testimony that was available when the prefiled testimony was prepared will be disallowed; 4) the prefiled testimony should be made part of the record with any attachments offered as exhibits. Staff counsel or protestant shall have an opportunity to make objections to the testimony and exhibits and proceed with cross-examination.

An applicant's rebuttal or redirect testimony is not required to be prefiled.

Effective September 25, 1986, all applicants not represented by counsel must also prefile testimony and exhibits at least 10 days prior to the hearing in accordance with K.A.R. 82-1-229. The above rules regarding transfers and protested cases shall also apply to these applicants. Samples of testimony may be obtained from the Transportation Division of the State Corporation Commission.

Applicants represented by counsel are required to continue to prefile testimony in all applications, extensions, transfers, including protested cases, pursuant to the May 1, 1986 notice.

MICHAEL LENNEN
Chairman

Doc. No. 004467

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State Capitol
Topeka, Kansas 66612-1594

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