

(First published in *The Coffey County Republican* on Thursday, September 5, 2024)

IN THE DISTRICT COURT OF COFFEY COUNTY, KANSAS
PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF
LEE W. BATES, DECEASED
Case No. CF-23-PR-13

NOTICE OF HEARING
(Pursuant to K.S.A. Chapter 59)

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You and each of you are hereby notified that a Petition for Approval of Valid Settlement Agreement and a Valid Settlement Agreement has been filed in said Court by Jason W. Bates, petitioner, praying for the Court's approval.

You are hereby required to file your written defenses thereto on or before the 2nd day of October, 2024, at 9:00 o'clock A.M., of said day, in said Court, in the County Courthouse, in the city of Burlington, in said county and state, at which time and place said cause will be heard. Should you fail therein, judgement and decree will be entered in due course upon Petition.

Jason W. Bates,
Petitioner

SUBMITTED BY:
/s/ Thomas F. Robrahn
THOMAS F. ROBRAHN
SUPREME COURT #14964
P.O. Box 44
Burlington, Kansas 66839
Telephone 620-364-5409
robrahnlawoffice@gmail.com
(Sept. 5, 12, 19)



(First published in *The Coffey County Republican* on Thursday, September 5, 2024)

IN THE DISTRICT COURT OF COFFEY COUNTY, KANSAS

In the Matter of the Marriage of
Karina Beatriz Sanchez and
Franklin Isaac Sanchez
Guevara
Case No. CF-2024-DM-000060

NOTICE OF HEARING

THE STATE OF KANSAS TO FRANKLIN ISAAC SANCHEZ, GUEVARA AND ALL PERSONS CONCERNED:

You are hereby notified that a Petition for Divorce has been filed in the District Court of Coffey County, Kansas, by Karina Beatriz Sanchez, asking that she be granted a divorce and asking that the court make other orders in that divorce matter. You must file an answer to the Petition for Divorce with the court and provide a copy to the Petitioner's attorney on or before October 23, 2024, at 9:30 a.m., which shall not be less than 41 days after the first publication of this Notice of Suit, or the court will enter judgment against you on that Petition.

KARINA BEATRIZ SANCHEZ
Petitioner

Submitted By:
STANLEY R. AUSEMUS
#05967
STANLEY R. AUSEMUS,
CHARTERED
413 Commercial St.
Emporia, KS 66801
(620) 342-8717
email: stanley@sraclaw.com
Attorney for Petitioner
(Sept. 5, 12, 19)



(Published in *The Coffey County Republican* on Thursday, September 19, 2024)

RESOLUTION NO. 2024-3

A RESOLUTION OF THE CITY OF LEBO, KANSAS FINDING THAT CERTAIN MATTERS LOCATED AT 213 E. 4th ST., LEBO KANSAS, HAS BEEN DECLARED A NUISANCE ACCORDING TO ORDINANCE 380.

WHEREAS, the enforcing officer of the City of Lebo, Kansas, did on the 13th day of August, confirmed with the city clerk's office of said city, that certain matters located at 213 E. 4th were in violation of Ordinance 380, Section 1 (a) and (g);

WHEREAS, the City Police personally served a notice, with returned copy on April 11, 2023, and

WHEREAS, the owner did not abate the conditions in violation of Ordinance 380 Sec-

tion 1 (a) and (g) or request a hearing within the ten (10) days from the date of serving the notice,

NOW, THEREFORE, BE IT RESOLVED BY THE Governing body of the City of Lebo, Kansas:

Section 1. That said governing body hereby finds that certain matters located at 213 E. 4th, Lebo, Kansas a nuisance, in violation of Ordinance 380, Section 1 (a) and (g), and hereby directs such nuisances to be abated and a level of cleanliness to be maintained as to not be out of compliance with Section 1, Ordinance 380. Failure to do so will result in further sanctions as described in Ordinance 380, Section 7.

Section 2. Ten (10) after the passage of this Resolution the governing body shall authorize the abatement of the conditions in violation of Ordinance 380, Section 1 (a) and (g).

Section 3. All cost incurred by the city to abate the conditions shall be billed to the property owner and collected as set forth in Ordinance 380 Section 10.

BE IT FURTHER RESOLVED THAT THE City Clerk shall cause this resolution to be served upon the person in violation as set forth in Ordinance 380, Section 8.

ADOPTED AND APPROVED by the Governing Body of the City of Lebo, Kansas this 9th day of September, 2024.

SIGNED BY THE MAYOR
this 9th day of September, 2024

/s/ Eric S. Ferguson,
Mayor

ATTEST:
/s/ Carrie J. Sloan,
City Clerk



(Published in *The Coffey County Republican* on Thursday, September 19, 2024)

RESOLUTION NO. 2024-4

A RESOLUTION TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF LEBO, THE BALLOT PROPOSITION OF THE LEVY OF A SPECIAL PURPOSE ONE PERCENT (1%) RETAILERS' SALES TAX IN THE CITY OF LEBO FOR THE PURPOSE OF PROVIDING REVENUE FOR A SWIMMING POOL, OTHER PARK CAPITAL IMPROVEMENTS AND THE MAINTENANCE OF THE CITY OF LEBO PARKS' INFRASTRUCTURE.

WHEREAS, K.S.A. 12-187 et seq., as amended, authorizes the Governing Body to submit to the qualified electors of the city the question of levying a retailers' sales tax, such tax to be collected by the State Department of Revenue with the revenue there from returned to the city; and

WHEREAS, the Governing Body of the City of Lebo, has determined that the revenue from the existing one percent (1%) retailer's sales tax has provided additional funds for swimming pool and other park capital improvements within the City, and

WHEREAS, the existing retailer's sales tax will expire March 31, 2025, and that the voters should be given a choice as to the method used to finance swimming pool, other park capital improvements and the maintenance of the city parks infrastructure;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEBO, KANSAS:

Section 1. A question to levy a "special purpose" retailer's sales tax shall be in the manner prescribed by law on the 5th of November, 2024 General Election ballot, for the purpose of submitting to the qualified electors of the City of Lebo, the question of levying a "special purpose" retailers' sales tax in the City of Lebo, for the special purpose of providing additional revenue for the swimming pool, park capital improvements and maintenance of the city parks' infrastructure within the city, in the amount of one percent (1.0%), such tax to take effect of the 1st day of April, 2025, and expire March 31, 2035 if approved by a majority of the electors voting thereon.

Section 2. If approved by a

majority of the electors voting thereon, such tax shall be subject to all applicable state laws and administrative rules and regulations of the Kansas Department of Revenue. The services of the Department of Revenue shall be utilized to administer, enforce and collect such tax.

Section 3. The city clerk and county election officer shall cause notices to be published of this ballot proposition, as provided by law.

Passed by the Governing Body of the City of Lebo, this 9th day of September, 2024.

CITY OF LEBO, KANSAS BY:

/s/ Eric S. Ferguson,
Mayor

ATTEST:
Carrie J. Sloan,
City Clerk



(Published in *The Coffey County Republican* on Thursday, September 19, 2024)

ORDINANCE 619

A CONTRACT FRANCHISE ORDINANCE GRANTED TO MT NETWORKS LLC, A TELECOMMUNICATIONS LOCAL EXCHANGE SERVICE PROVIDER PROVIDING LOCAL EXCHANGE SERVICES WITHIN THE CITY OF LEBO, KS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEBO, KS:

SECTION 1. Pursuant to K.S.A. 12-2001, a contract franchise ordinance is hereby granted to MT Networks LLC, a telecommunications local exchange service provider providing local exchange service within the City of Lebo, subject to the provisions contained hereafter. The initial term of this ordinance shall end on September 30, 2029. Upon expiration of the initial term, this ordinance will automatically renew for one-year terms unless the City or MT Networks provides written notice to the other of an intent now to renew. Such notice shall be provided at least 90 days before the expiration of the then current term. In no case shall this ordinance extend for more than 20 years before its effective date.

SECTION 2. For purpose of this contract franchise ordinance, the following words and phrases and their derivations shall have the following meaning:

“Access line” shall mean and be limited to retail billed to and collected from residential lines; business lines; ISDN lines; PBX trunks and stimulated exchange access lines provided by a central office based switching arrangement where all stations serviced by such simulated exchange access lines are used by a single customer of the provider of such arrangement. Access line may not be construed to include interoffice transport or other transmission media that do not terminate at an end use customer's premises, or to permit duplicate or multiple assessment of access line rates on the provision of a single service or on the multiple communications paths derived from a billed and collected access line. Access line shall not include the following: Wireless telecommunications services, the sale or lease of unbundled loop facilities, special access services, lines providing only data services without voice services process by a telecommunications local exchange service provider or private line service arrangements.

“Access line count” means the number of access lines serving consumers within the corporate boundaries of the city on the last day of each month.

“Access line fee” means a fee determined by a city, up to a maximum as set out in K.S.A. 12-2001 and amendments thereto, to be used by a telecommunications local exchange service provider in calculating the amount of access line remittance.

“Access line remittance” means the amount to be paid by a telecommunications local exchange service provider to a city, the total of which is calculated by multiplying the access line fee, as determined in the city, by the number of access lines served

by that telecommunications local exchange service provider within that city for each month in that calendar quarter.

“Gross Receipts” means only those receipts collected from within the corporate boundaries of the city enacting the franchise and which are derived from the following: (A) Recurring local exchange service for business and residence which includes basic exchange service, touch tone, optional calling features and measured local calls; (B) recurring local exchange access line services for pay phone lines provided by a telecommunications local exchange service provider to all pay phone service providers; (C) local directory assistance revenue; (D) line status verification/busy interrupt revenue; (E) local operator assistance revenue; and (F) nonrecurring local exchange service revenue which shall include customer service for installation of lines, reconnection of service and charge for duplicate bills. All other revenues, including, but not limited to, revenues from extended area service, the sale of lease of unbundled network elements, nonregulated services, carrier and end user access, long distance, wireless telecommunications services; lines providing only data service without voice services processed by a telecommunications local exchange service provider; private line service arrangements, Internet, broadband and all other services not wholly local in nature are excluded from gross receipts. Gross Receipts shall be reduced by bad debt expenses. Uncollectible and late charges shall not be included within gross receipts. If a telecommunications local exchange service provider of fers additional services of a wholly local nature which if in existence on or before July 1, 2002, would have been included with the definition of gross receipts, such services shall be included from the date of the offering of such services in the city.

“Local Exchange Service” means local switched telecommunications service within any local exchange service area approved by the state corporation commission, regardless of the medium by which the local telecommunications service is provided. The term local exchange service shall not include wireless communication services.

“Provider” shall mean a local exchange carrier as defined in subsection (h) of K.S.A. 66-1, 187, and amendments thereto, or a telecommunications carries as defined in subsection (m) of K.S.A. 66-1, 187, and amendments thereto.

“Public right-of-way” means only the area of real property in which the city has a dedicated or acquired right-of-way interest in the real property. It shall include the area on, below or above the present and future streets, alleys, avenues, roads, highways, parkways or boulevards dedicated or acquired as right-of-way. The term does not include the airwaves above a right-of-way with regard to wireless telecommunications or other nonwire telecommunications or broadcast service, easements obtained by utilities or private easements in platted subdivisions or tracts.

“Telecommunications local exchange service provider” means a local exchange carrier as defined in subsection (h) of K.S.A. 66-1, 187, and amendments thereto, and telecommunications carrier as defined in subsection (m) of K.S.A. 66-1, 187, and amendments thereto, which does, or in good faith intends to, provide local exchange service. The term telecommunications local exchange service provider does not include an interexchange carrier that does not provide local exchange service, competitive access provider that does not provide local exchange service or any wireless telecommunications local exchange service provider.

“Telecommunications services” means providing the means of transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

SECTION 3. Compensation made pursuant to the contract franchise ordinance shall be paid on a semi-annual basis without invoice or reminder from the City and paid within forty-five (45) days after the last day of each 6-month period ending June 30 and December 31. Compensation to the City pursuant to this contract franchise ordinance shall be two percent (2%) of gross receipts as defined herein.

SECTION 4. The City shall have the right to examine, upon written notice to the telecommunications local exchange service provider, no more than once per calendar year, those records necessary to verify the correctness of the compensation paid pursuant to this contract franchise ordinance.

SECTION 5. As a condition of this contract franchise ordinance, MT Networks LLC is required to obtain and is responsible for any necessary permit, license, certification, grant, registration or any other authorization required by any appropriate governmental entity, including, but not limited to: the City, the Federal Communications Commission (FCC), or the Kansas Corporation Commission (KCC); subject to MT Networks LLC's right to challenge in good faith such requirements as established by the FCC, KCC or other City Ordinance. MT Networks LLC shall also comply with all applicable laws, statutes and/or ordinances, subject to MT Networks LLC's right to challenge in good faith such laws, statutes and/or ordinances.

SECTION 6. If requested by City, in order to accomplish construction and maintenance activities directly related to improvements for the health, safety, and welfare of the public, MT Networks LLC shall remove its facilities from the public right-of-way or shall relocate or adjust its facilities within the public right-of-way at no cost to the City. Such relocation or adjustment shall be completed as soon as reasonably possible within the time set forth in any request by the City for such relocation or adjustment. Any damages suffered by the City or its contractors as a result of MT Networks failure to timely relocate or adjust its facilities shall be borne by MT Networks.

SECTION 7. Permission is hereby granted to MT Networks to trim trees upon and overhanging streets, alleys, sidewalks, and public places of said City so as to prevent the branches of such trees from coming into contact with MT Networks facilities, all the said trimming shall comply with all applicable laws, statutes and/or ordinances.

SECTION 8. Nothing herein contained shall be construed as giving MT Networks LLC any exclusive privileges, nor shall it affect any prior or existing rights of MT Networks LLC to maintain a telecommunication system within the City.

SECTION 9. MT Networks LLC shall collect and remit compensation as described in Section 3 on those access lines that have been resold to another telecommunication local exchange service provider.

SECTION 10. Any required or permitted notice under this contract franchise ordinance shall be in writing delivered to the city clerk by first class United States mail or by personal delivery. Notice upon MT Networks LLC shall be delivered by first class United States mail or by personal delivery to: MT Networks LLC P.O. Box 337; 117 N. 3rd Madison, KS 66860

SECTION 11. Failure to Enforce. The failure of either party to enforce and remedy any noncompliance of the terms and conditions of this contract franchise ordinance shall not constitute a waiver of rights nor a waiver of the other party's obligations as provided herein.

SECTION 12. Force Majeure. Each and every provision hereof shall be subject to acts of God, fires, strikes, riots, floods, war and other disasters beyond MT Networks LLC's or the City's control.

SECTION 13. Repealer. Ordinance 563 is hereby repealed.

SECTION 14. This contract franchise ordinance is made under and in conformity with the laws of the State of Kansas. No such contract franchise shall be effective until the ordinance granting the same has been adopted as provided by law.

SECTION 15. Publication: Effective date. This ordinance shall be published one time in the official city newspaper, Coffey County Republican, and shall take effect and be in force from and after said publication.

ADOPTED by the Governing Body and APPROVED by the Mayor of the City of Lebo, Kansas, this 9 day of September, 2024.

/s/ Eric S Ferguson,
Mayor

ATTEST:
/s/ Carrie J. Sloan,
City Clerk



(Published in *The Coffey County Republican* on Thursday, September 19, 2024)

NOTICE OF SPECIAL QUESTION ELECTION

TO ALL THE QUALIFIED ELECTORS OF THE CITY OF LEBO, KANSAS:

Notice is hereby given by the Governing Body of the City of Lebo and the County Election Officer of Coffey County, Kansas, that there will be a special question election in the City of Lebo on the 5th day of November, 2024, for the purpose of voting on the question of the levy of a “special purpose” city retailers' sales tax in the amount of one percent (1%) on retailers' sales consummated within the City of Lebo, Kansas. The current special purpose retailers' sales tax is due to expire on March 31, 2025. The one percent (1%) sales tax shall be collected for the special purpose of providing additional revenue for a swimming pool, park capital improvements, and maintenance of the parks' infrastructure within the city, in accordance with the provisions of K.S.A. 12-187 et seq., and amendments thereto. If approved by a majority of the electors voting thereon, such tax will take effect on the 1st day of April, 2025 and expire on March 31, 2035 and shall be collected by the state department of revenue, and the revenue therefrom returned to the City of Lebo.

Notice is further given that the polls will be opened for voting between 7 am and 7 pm on said date at the following place: Lebo Community Building, 320 N Ogden, Lebo, Kansas.

The proposition shall appear on the ballot as follows:

Shall the following be adopted?

Shall a special purpose retailer's sales tax in the amount of one percent (1%) be levied in the City of Lebo, Kansas for the special purpose of providing additional revenue for the swimming pool, park capital improvements and the maintenance of the city parks' infrastructure to take effect April 1, 2025 and expire on March 31, 2035?

- ☐ YES
- ☐ NO

To vote in favor of any question submitted on this ballot, darken the oval (●) to the left of the word YES. To vote against any question submitted on this ballot, darken the oval (●) to the left of the word NO.

Dated this 10th day of September, 2024.

/s/ Angie Kirchner
Coffey County
Election Officer

Seal
(Sept. 19, 26)



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