

DEER: Caution urged

(Continued from Page 1)

That includes one wreck in which a deputy hit a deer with his patrol car, Sheriff Craig Davis said. The patrol car received minor damage, and the deer ran off.

Deer particularly are active during November and December because November is the deer mating season, KDOT reports.

In addition, deer tend to widen their foraging range as they build up their fat reserves for the winter. And, they often migrate from one foraging range to another during the early winter, exposing themselves to risks, like highways. A reduction in daylight hours also contributes to increased deer-vehicle collisions, according to KDOT.

Last year six people were killed in crashes involving deer in Kansas, and 318 were injured, according to KDOT statistics.

The recent spate of deer-vehicle accidents is about average for this time of year in Franklin County, Davis said. Crashes happen in all parts of the county, he said, although they are more likely near wooded areas and creek beds, and around dusk and dawn.

Drivers can avoid

some crashes just by being alert, Davis said.

Davis and KDOT encourage motorists to observe the following tips to avoid deer collisions:

- Reduce your speed and be alert near wooded areas or green spaces like parks or golf courses and near water sources like streams or ponds.

- Slow down when approaching deer standing near the roadside, as deer have a tendency to bolt. Use emergency flashers to warn oncoming drivers if you sight deer near the roadway.

- Be especially watchful at dawn and dusk when deer particularly are active.

- Deer seldom travel alone. Chances are that if you see one deer crossing a road, there are others nearby.

- Don't swerve to avoid a collision with a deer. The most serious accidents occur when motorists are taking evasive action.

- Watch out for deer crossing signs, and always wear a seat belt.

- If you hit a deer, be sure to pull over onto the shoulder, turn on your emergency flashers and watch for traffic before exiting your vehicle. Do not try to remove a deer from the roadway unless you are certain it is dead. An injured deer could hurt you.

SHOPPING: Local retailers face holiday challenges

(Continued from Page 1)

simply spend less.

"The real problem with the holidays is the lead time," Norm Roberts, store manager at Orscheln Farm and Home, 2008 S. Princeton St., said. "We buy our Christmas inventory in February and March."

"It's 'by-gosh and by-golly' when it comes to ordering that far in advance, but manufacturers just don't warehouse much anymore. They make it; they want it sold."

Phil Messenger, owner of Messenger's Fine Furnishings, 309 W. 23rd St., said he lays in holiday inventory early as well.

"This is the busiest consecutive three or four months of the year," he said. "Production goes up, but so does the demand, so we warehouse more this time of year to be sure we have what our customers want."

Brown's Shoe Fit partner-manager Chandler Nelson said it's always a challenge to keep in inventory what shoppers might want from his downtown Ottawa store.

"They see things advertised, and that's what they want us to have," Nelson said.

This year he believes the Skecher Shape-up walking shoe will be a top seller.

"They help you tone up and lose weight while you walk," he said. "I expect them to be big this year."

But, being big this year may be retailers' and consumers' worst nightmares.

"The problem in a town the size of Ottawa is that people want to wait for Black Friday to start their shopping," Nelson said. "When they should really start is the week before to be sure they get what they want."

While Roberts did his holiday ordering more than seven months ago,



Photo by Elliot J. Sutherland/The Ottawa Herald

Wine is a popular holiday item Sandie Lancaster, employee at Three Guys Liquor, 303 N. Main St., Ottawa, said.

he expects to be able to get a few small promotional-type items closer to the holidays, but not many.

"Most of our traditional gift items are already here," he said. "The Red Flyer wagons, riding toys, special purchase clothing and special tool items are here, and what we have is what will be available."

In other words, if you see it and like it, the smart thing to do is buy it.

Leaner inventory means retailers have to be on their toes and be precise in predicting what their customers will want to purchase.

Richard Towe, co-owner of Three Guys Liquor, 303 N. Main St., is banking on past experience to keep his inventory exactly where his customers want it to be.

"The holidays are a big wine time and a good time for micro-brewery beer," he said.

"And, as soon as Thanksgiving is over, eggnog will be a big seller. We also stock Christmas decanter sets and gift-wrapped liquor packages, but we only buy what's on sale, and then we can pass that savings on to

our customers."

Messenger said he's based this season's holiday offerings on Christmas past, as well.

"We order more of the smaller items we don't normally carry," he said. "Children's rocking chairs and novelty accessories go over well. This year we have lamps with logo football helmets on the base."

"Two-thirds of our store is upholstered items, but the sale of those items increases this time of year, as well, so we stock more."

Of these four Ottawa retailers, only Orscheln Farm and Home will hire more employees this shopping season.

"You have to keep up the level of customer service," Roberts said. "We've hired some extra help, and our regular employees will get more hours."

The additional staff also will help with store security.

"We're observant all year but more so this time of year," Roberts said. "We watch a little closer and try to have more store staff interacting with our customers."

Messenger said it won't be necessary for him to extend store hours.

"We're open from 9 a.m. until 6 p.m. six days a week and make appointments for evenings or Sundays when people ask," he said.

Nelson feels his current staffing will hold up to the rigors of the season.

"I have myself and two part-time employees, and that should be perfect," he said, adding that his staff always practices top-of-mind awareness when it comes to shoplifters and pilferage.

Towe also won't add staff, but regular employees will work more hours.

"Between Thanksgiving and New Year we're really busy," he said. "It's a good time of the year for us, and we enjoy the additional time we get to see our customers."

The Ottawa Herald Classifieds

EMPLOY
OUR
CLASSIFIEDS

Legal Notices

(First Published November 6, 2009)
(Last Published November 20, 2009)
IN THE DISTRICT COURT OF
FRANKLIN COUNTY, KANSAS
In the Matter of the Estate of
Lottie Irene Peckham, Deceased
Case No. 2009-PR-56
NOTICE TO CREDITORS
THE STATE OF KANSAS TO ALL PERSONS CONCERNED:
You are hereby notified that on October 29, 2009 a Petition for Probate of Will and Issuance of Letters Testamentary was filed in this Court by Charles A. Peckham, and heir, devisee and legatee named in the Last Will and Testament of Lottie Irene Peckham, deceased.
All creditors of the decedent are notified to exhibit their demands against the estate within four (4) months from the date of the first publication of this notice, as provided by law, and if their demands are not thus exhibited, they shall be forever barred.
CHARLES A. PECKHAM, PETITIONER
BROWN, CREIGHTON & PECKHAM
Attorneys at Law
308 Main, Box 46
Atwood, KS 66730
(785) 626-3295
ATTORNEYS FOR PETITIONER

Legal Notices

(First Published November 6, 2009)
(Last Published November 20, 2009)
IN THE DISTRICT COURT OF
FRANKLIN COUNTY, KANSAS
Osage Capital, LLC.,
Plaintiff,
vs.
James C. Clark and Gloria K. Clark; and the unknown heirs, executors, administrators, devisees, trustees, creditors and assigns of any deceased defendants; the unknown spouses of any defendants; the unknown officers, successors, trustees, creditors and assigns of any defendants that are existing, dissolved or dormant corporations; the unknown executors, administrators, devisees, trustees, creditors, successors and assigns of any defendants that are or were partners or in partnership; the unknown guardians, conservators and trustees of any defendants that are minors or are under any legal disability; and the unknown heirs, executors, administrators, devisees, trustees, creditors and assigns of any person alleged to be deceased, and all other persons who are or may be concerned.
Defendants. Case No. 09 C 181
Pursuant to K.S.A. Chapter 60
Notice of Sheriff's Sale
To the Above Named Defendants And All Other Concerned Persons:
By virtue of an Order of Sale to me directed, issued out of the District Court of Franklin County, Kansas, I will on December 3, 2009 at 10:00 o'clock a.m., of said day at the front door of the Courthouse in Ottawa, Franklin County, Kansas, offer at public sale and sell to the highest bidder for cash in hand, all of the following described real estate including the manufactured home and all other improvements located thereon, to-wit:
Lot 2, Final Plat of Keaton Estates, A Subdivision in the West Half of the Southwest Quarter of the Northwest Quarter of Section 20, Township 18 S., Range 21 E., Franklin County, Kansas, according to the recorded plat thereof.
The above-described real estate is taken as the property of the defendants, James C. Clark and Gloria K. Clark, his wife, and is directed by said Order of Sale to be sold and will be sold without appraisalment to satisfy said Order of Sale.
Given under my hand at my office in the City of Ottawa, Franklin County, Kansas, this 28th day of October, 2009.
/s/Craig Davis
Sheriff of Franklin County, Kansas
Prepared by:
/s/Keith A. Brock
Keith A. Brock, #24130
ANDERSON & BYRD, LLP
216 S. Hickory, P. O. Box 17
Ottawa, Kansas 66067
(785) 242-1234
Attorneys for Osage Capital, LLC.

Legal Notices

(First Published October 23, 2009)
(Last Published November 6, 2009)
IN THE DISTRICT COURT OF
FRANKLIN COUNTY, KANSAS
In the Matter of the Estate of
Mildred Minden, deceased
Case No. 09 PR 55
Mildred Minden, deceased
(Pursuant to K.S.A. Chapter 59)
NOTICE TO CREDITORS
THE STATE OF KANSAS TO ALL PERSONS CONCERNED:
You are hereby notified that a Petition for Probate of Will and Issuance of Letters of Administration c.t.a. was filed in the Court on October 20, 2009, by Todd Michael Hill, one of the devisees and legatees named in the Last Will and Testament of Mildred Minden, deceased.
All creditors of the above named decedent are notified to exhibit their demands against the estate within four months from the date of first publication of this notice, as provided by law, and if their demands are not thus exhibited, they shall be forever barred.
/s/Todd Michael Hill
Petitioner
SUBMITTED BY:
R. Scott Ryburn, #12690
ANDERSON & BYRD, LLP
216 S. Hickory, P. O. Box 17
Ottawa, Kansas 66067
(785) 242-1234
Attorneys for Petitioner

Legal Notices

(Published November 6, 2009)
BOARD OF ZONING APPEALS
OF FRANKLIN COUNTY, KANSAS
RESOLUTION NO. 09-06
A RESOLUTION GRANTING VARIANCE REQUEST #0909-966 FILED BY KEVIN EVANS TO PERMIT THE REDUCTION OF THE BUILDING FRONT YARD SETBACK FOR A NEW RESIDENCE
WHEREAS, the Franklin County Board of Zoning Appeals has received a variance request from Kevin Evans to allow the reduction in the building setback from 80 feet to 60 feet for a new residence; and
WHEREAS, the Board of Zoning Appeals did hold a hearing on November 3rd, 2009 to consider said variance request as provided in K.S.A. 12-759(c) and Article 21, Section 21-5; and
WHEREAS, after reviewing the record and all public testimony, opposed and in support, the Board of Zoning Appeals did approve, by a majority vote of its members, Variance Application #0909-966 (Evans) based on the findings of fact as follows:
1. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant;
2. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;
3. The strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
4. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and
5. Granting the variance desired will not be opposed to the general spirit and intent of these regulations.
NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Zoning Appeals does hereby approve Variance #0909-966 (Evans) to reduce the front yard building setback for a residence for that certain real property located on the East side of Eisenhower Road and on the South side of Haskell Road in the West Half of the Northwest Quarter of Section 02, Township 18 South, Range 19 East, Franklin County, Kansas.
Passed and Adopted by the Franklin County Board of Zoning Appeals this 3rd day of November 2009.
/s/Donald Johnson
Donald Johnson, Member
/s/Gayla Stofko
Gayla Stofko, Member
/s/Kristie Stinebaugh
Kristie Stinebaugh, Member
/s/Juanita Peckham
Juanita Peckham, Member
ATTEST:
/s/Larry D. Walrod
Larry D. Walrod, Planning Director

Legal Notices

(First Published October 23, 2009)
(Last Published November 6, 2009)
IN THE DISTRICT COURT OF
FRANKLIN COUNTY, KANSAS
CIVIL DEPARTMENT
U.S. Bank, N.A.,
Plaintiff,
vs.
Jeffrey A. Raby and Heather R. Raby, et al.
Defendants.
Case No. 09CV15
Court Number: 3
Pursuant to K.S.A. Chapter 60
Notice of Sale
Under and by virtue of an Order of Sale issued to me by the Clerk of the District Court of Franklin County, Kansas, the undersigned Sheriff of Franklin County, Kansas, will offer for sale at public auction and sell to the highest bidder for cash in hand, at the Front Door of the Courthouse at Ottawa, Franklin County, Kansas, on November 19, 2009, at 10:00 AM, the following real estate:
Lots 46 and 48, Block 10, University Addition to the City of Ottawa, in Franklin County, Kansas, according to the recorded plat thereof, commonly known as 1046 S. Main Street, Ottawa, KS 66067 (the "Property")
to satisfy the judgment in the above-entitled case.
The sale is to be made without appraisalment and subject to the redemption period as provided by law, and further subject to the approval of the Court. For more information, visit www.southlaw.com <<http://www.southlaw.com>>.
Craig Davis, Sheriff
Franklin County, Kansas

Legal Notices

(First Published October 23, 2009)
(Last Published November 6, 2009)
IN THE DISTRICT COURT OF
FRANKLIN COUNTY, KANSAS
In the Matter of the Estate of
Zolla L. Flory, deceased
Case No. 09 PR 54
NOTICE OF HEARING
THE STATE OF KANSAS TO ALL PERSONS CONCERNED:
You are hereby notified that a petition has been filed in this Court by Leonard C. Flory, surviving spouse and one of the heirs of Zolla L. Flory, deceased, praying:
Descent be determined of the following described real estate situated in Franklin County, Kansas:
Lots 8 and 9 and the S. 1/2 of the S.W. 1/4 of Sec. 34, also 9.39 acres described as follows: Com. at the intersection of the half section line with the South section line of said Sec. 34, thence East 8 rods and 10 1/2 links, thence North to Sac and Fox Reserve Line, thence West to half section line, thence South to place of beg., also, Beg. at the N.E. corner of Lot 5 of Sec. 33, thence South 24 rods, thence West 20 rods to the place of beg., all in Twp. 15, Rng. 18, and containing in all 190.94 acres, according to Government survey.
The West 25 acres of the S. 1/2 of the N.E. 1/4 and the North 10 acres of the West 5/8 of the W. 1/2 of the S.E. 1/4, and the East 55 acres of the S. 1/2 of the N.E. 1/4 of Sec. 22, also Beg. at the S. W. Corner of N.W. 1/4 of the N.E. 1/4 of Sec. 22, thence North 20 rods, thence East 76 rods, thence South 3 rods, thence East 4 rods, thence South 17 rods, thence West to the place of beg., all in Twp. 15, Rng. 18 and containing in all 100 acres, more or less.
The North 22 acres of the South 40 acres of the West 5/8 of the W. 1/2 of the S.E. 1/4 of Sec. 22, Twp. 15, Rng. 18.
and all personal property and other Kansas real estate owned by decedent at the time of death.
You are required to file your written defenses thereto on or before November 18, 2009 at 9:00 o'clock, a.m. in the City of Ottawa, Franklin County, Kansas, at which time and place the cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon the Petition.
/s/Leonard C. Flory
Petitioner
SUBMITTED BY:
John L. Richeson, #06197
ANDERSON & BYRD, LLP
216 S. Hickory, P.O. Box 17
Ottawa, Kansas 66067
(785) 242-1234
Attorney for Petitioner

Legal Notices

(First Published October 23, 2009)
(Last Published November 6, 2009)
IN THE DISTRICT COURT OF
FRANKLIN COUNTY, KANSAS
CIVIL DEPARTMENT
BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing, L.P.,
Plaintiff,
vs.
Jimmie Dean and Melissa Dean, et al.
Defendants.
Case No. 09C179
Court Number:
Pursuant to K.S.A. Chapter 60
Notice of Sale
Under and by virtue of an Order of Sale issued to me by the Clerk of the District Court of Franklin County, Kansas, the undersigned Sheriff of Franklin County, Kansas, will offer for sale at public auction and sell to the highest bidder for cash in hand, at the Front Door of the Courthouse at Ottawa, Franklin County, Kansas, on November 19, 2009, at 10:00 AM, the following real estate:
Lot 4, Block 2, in Meadow Lake Estates, a subdivision in Sec. 21, TWP. 17 S., RNG. 19E., in Franklin County, Kansas, according to the recorded plat thereof, commonly known as 4 S.W. Fairview Drive, Ottawa, KS 66067 (the "Property")
to satisfy the judgment in the above-entitled case.
The sale is to be made without appraisalment and subject to the redemption period as provided by law, and further subject to the approval of the Court. For more information, visit www.southlaw.com <<http://www.southlaw.com>>.
Craig Davis, Sheriff
Franklin County, Kansas

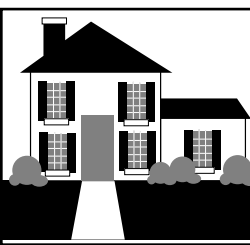
Legal Notices

Prepared By:
South & Associates, P.C.
Kristen G. Stroehmann (KS #10551)
6363 College Boulevard, Suite 100
Overland Park, Kansas 66211
(913) 663-7600
(913) 663-7899 (Fax)
Attorneys For Plaintiff (102918)

Public Notices Your Right To Know

Legal Notices

(First Published October 23, 2009)
(Last Published November 6, 2009)
IN THE DISTRICT COURT OF
FRANKLIN COUNTY, KANSAS
JP Morgan Chase Bank, N.A., As Trustee on Behalf of the Certificateholders of Capital I Inc., Morgan Stanley ABS Capital I Inc. Trust 2005-HE2
Plaintiff,
vs.
Linda L. Wilks, et al.,
Defendants.
Case No. 06C55
K.S.A. 60
Mortgage Foreclosure
Division 0
NOTICE OF SHERIFF'S SALE
Under and by virtue of an Order of Sale issued by the Clerk of the District Court of Franklin County of Franklin, State of Kansas, in a certain cause in said Court Numbered 06C55, wherein the parties above named were respectively plaintiff and defendant, and to me, the undersigned Sheriff of said County, directed, I will offer for sale at public auction and sell to the highest bidder for cash in hand at 10:00 AM, on 11/19/2009, at the front door of the Franklin County Courthouse, the following described real estate located in the County of Franklin, State of Kansas, to-wit:
THE WEST 17 FEET OF LOT 5 AND ALL OF LOTS 7, 9, 11, 13, 15, IN BLOCK 6, IN HAMLIN'S ADDITION TO THE CITY OF OTTAWA, FRANKLIN COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT, THEREOF.
SHERIFF OF FRANKLIN COUNTY, KANSAS
Respectfully Submitted,
By:
Sara Knittel, #23624
Erika Knapstein, #23882
Clinton P. Woerth, #19609
Kozony & McCubbin, L.C. (St. Louis Office)
12400 Olive Blvd., Suite 555 St. Louis, MO 63141
(314) 991-0255 (314) 567-8006
Email: sknittel@km-law.com
Send Court Returns to: Kanasas@km-law.com
Attorney for Plaintiff



CLASSIFIEDS

Build Results