

Linda J. Sheppard # 17579
Deputy Attorney General
Office of the Attorney General
120 SW Tenth Street, 2nd Floor
Topeka, Kansas 66612-1597
(785) 296-3751

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
Division 3

STATE OF KANSAS, *ex rel.*)
PAUL MORRISON, Attorney General,)
)
Plaintiff,)
)
)
vs.)
)
Shawnee Cemetery, and the Unknown)
Officers, Trustees, Successors, Creditors,)
and Assigns of the Above-Named,)
)
Defendant.)
_____)

Case No. 07CV2533

ORDER FOR DEFAULT JUDGMENT

NOW on this 25th day of June, 2007, comes before the Court Plaintiff's Motion for Default Judgment against Shawnee Cemetery, and the Unknown Officers, Trustees, Successors, Creditors, and Assigns. Plaintiff State of Kansas, *ex rel.* Paul Morrison, Attorney General, appears by and through counsel Linda J. Sheppard, Deputy Attorney General. There are no other appearances.

WHEREUPON, the Court, after reviewing the Motion and hearing the statements of counsel, finds as follows:

1. Plaintiff filed Its Petition on March 30, 2007.

CLERK OF DISTRICT COURT
JOHNSON COUNTY, KS
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2. Defendant Shawnee Cemetery, and the Unknown Officers, Trustees, Successors, Creditors, and Assigns were served by publication notice. Notice of suit was published once a week for three consecutive weeks in the Legal Record Newspaper of Johnson County, Kansas. Proof of such publication has been filed with this court pursuant to K.S.A. 60-312 (c).

3. This action was brought by the Attorney General of Kansas pursuant to the Kansas Corporation Act, K.S.A. 17-1366 and K.S.A. 17-1367.

4. Defendant Shawnee Cemetery Corporation is the last known owner of record.

5. The legal description of Shawnee Cemetery in the City of Shawnee, Johnson County, Kansas is as described in Exhibit A of Plaintiff's Petition

6. Defendant is a cemetery corporation as defined by K.S.A. 17-1312(f).

7. Defendant has not filed its Corporate Annual Report since 1973.

8. Shawnee Cemetery is an abandoned cemetery as defined by K.S.A. 17-1366(a); in that there are no volunteers to care for graves, grave stones, driveways and maintain records as required by law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. Any and all cemetery corporations holding title or interest in Shawnee Cemetery are hereby dissolved;

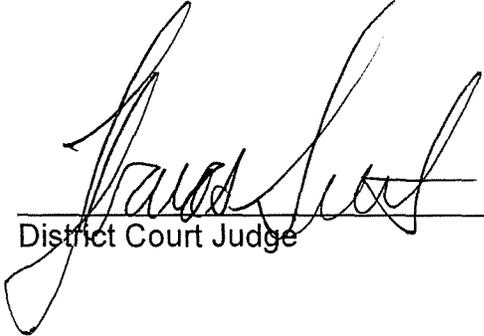
B. Shawnee Cemetery is hereby declared abandoned pursuant to K.S.A. 17-1367;

C. Title to all property described in paragraph 5 above is here transferred to the

municipality of the City of Shawnee, pursuant to K.S.A. 17-1367;

- D. All persons or entities with records, funds and tangible or intangible personal property of Shawnee Cemetery shall transfer the same to the Treasurer of the City of Shawnee, Kansas, and that records, funds and tangible or intangible personal property shall become the property of said City of Shawnee and shall be released from any further responsibility or liability therefore;
- E. The municipality of the City of Shawnee, Kansas shall be responsible for the maintenance of said cemetery.

IT IS SO ORDERED:



District Court Judge

PREPARED BY:



Linda J. Sheppard # 17579
Deputy Attorney General
Office of the Attorney General
(785) 296-3751
Attorney for Plaintiff