

FILED

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CLERK OF DISTRICT COURT
CRAWFORD COUNTY

BY _____

IN THE DISTRICT COURT OF CRAWFORD COUNTY, KANSAS

STATE OF KANSAS, ex rel.,
ROBERT T. STEPHAN, Attorney General,

Plaintiff,

vs.

Case No. 92 C 40G

MOUNT OLIVE ABBEY ASSOCIATION;
ITS UNKNOWN OFFICERS, TRUSTEES,
SUCCESSORS, CREDITORS, AND ASSIGNS
AND THE CITY OF PITTSBURG, KANSAS,

Defendants.

AGREED JOURNAL ENTRY OF DEFAULT JUDGMENT

NOW on this 6th day of January, 1993, the plaintiff's motion for default judgment comes before the court for consideration. The State of Kansas ex rel. Robert T. Stephan, Attorney General, appears by and through Shelly Gasper, Assistant Attorney General. The defendant City of Pittsburg appears by and through C. A. Menghini. There are no other appearances.

The Court being fully and duly advised finds as follows:

1. Plaintiff filed its original petition on September 16, 1992.

2. Service was properly obtained on all defendants.

3. The defendant, Mount Olive Abbey Association is the last known owner of record of Mount Olive Abbey.

4. The description of Mount Olive Abbey is:

A mausoleum located on an easement of Mount Olive Cemetery to wit: The South Seventy (70) feet of Block Number Thirty-Five (35) in Mount Olive Cemetery in Pittsburg, Crawford County, Kansas. The complete legal description of Mount Olive Cemetery is attached as Exhibit A.

5. Mount Olive Abbey Association is a cemetery corporation as defined by K.S.A. 17-1312(f).

6. Defendant Mount Olive Abbey is an abandoned cemetery in that Mount Olive Abbey Association has not filed its corporate Annual Report, nor its Annual Permanent Maintenance report for 1990, as statutorily required, and has, for a period of at least one year, failed to care for the mausoleum, Mount Olive Abbey.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. Any and all cemetery corporations holding title or interest in Mount Olive Abbey are hereby dissolved.

2. Mount Olive Abbey is hereby declared to be abandoned pursuant to K.S.A 17-1366(a).

3. Title to all property described in sub-paragraph 4 above is hereby transferred to the City of Pittsburg, Kansas, pursuant to K.S.A. 17-1367.

4. The municipality of City of Pittsburg, Kansas shall maintain said cemetery, pursuant to law.


5. All entities holding funds or records of Mount Olive Abbey shall transfer same to the City of Pittsburg treasurer, and such records and funds shall become the property of the City.

IT IS SO ORDERED.




DISTRICT COURT JUDGE

Approved
STATE OF KANSAS BY:



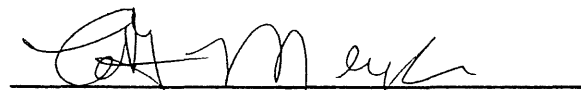
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CITY OF PITTSBURG BY:



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