



# PUBLIC NOTICES

## "BECAUSE THE PEOPLE MUST KNOW"



### Trustee's Sale

#### NOTICE OF TRUSTEE'S SALE

For default under the terms of the Deed of Trust executed by Fred E. Vogler and Cynthia J. Vogler, husband and wife, dated April 20, 1998, recorded on April 30, 1998, as Document No. 100122, in Book 1079, Page 402. As modified by instrument recorded June 2, 2004, as Document No. 2004-14470, Office of the Recorder of Deeds, Franklin County, Missouri, the undersigned Successor Trustee will on Monday, April 29, 2013, at 10:30 A.M. at the Main Front Door of the Franklin County Courthouse, 401 E. Main St. in Union, Missouri, sell at public vendue to the highest bidder for cash:

Lot three (3) of FAWN RIDGE ACRES, a subdivision of part of the Southeast Quarter in Section 23, Township 43 North, Range 1 East of the 5th P.M., as per plat of record in Plat Book N, Page 5 in the Office of the Recorder of Deeds of Franklin County, Missouri,

to satisfy said debt and costs. Martin, Leigh, Laws & Fritzen, P.C.

Successor Trustee Richard L. Martin, Vice President (816) 221-1430 www.mllfpc.com (Vogler, 5677.585, Publication Start: 04/06/2013)

MARTIN, LEIGH, LAWS & FRITZLEN, P.C., AS SUCCESSOR TRUSTEE, IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Publish in the Weekend Missourian April 6-7, 13-14, 20-21 and 27-28, 2013.

#### NOTICE OF TRUSTEE'S SALE

Default having been made in the payment of that certain note secured by Deed of Trust executed by Ben Overschmidt, President, Diamond Homes, Inc., dated May 9, 2006, and recorded on May 16, 2006, as Document No. 0611174 (pages - 7), Office of Recorder of Deeds, Franklin County, Missouri. The Successor Trustee will on April 22, 2013, between the hours of 9:00 o'clock A.M. and 5:00 P.M. more particularly at 10:00 A.M., at the Franklin County Courthouse, Old Courthouse, 300 E. Main St., North Front door, Union, MO 63084, sell at public venue to the highest bidder for cash, the following real estate:

LOT FIFTEEN (15) OF HILLSIDE ACRES, A SUBDIVISION IN SECTION 34, TOWNSHIP 43 NORTH, RANGE 2 EAST OF THE 5TH P.M., AS PER PLAT OF RECORD IN PLAT BOOK K PAGE 33 IN THE OFFICE OF THE RECORDER OF DEEDS,

for the purpose of satisfying said indebtedness and the costs of executing this trust.

/s/ William M. Spieler William M. Spieler, Successor Trustee www.unionlawpractice.com

Pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. Section 1692c(b), no information concerning the collection of this debt may be given without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction. The debt collector is attempting to collect a debt and any information obtained will be used for that purpose.

Pub commences: March 30, 2013

Publish in the Weekend Missourian March 30-31, April 6-7, 13-14 and 20-21, 2013.

### Notice to Bidders

#### REQUEST FOR BIDS

Sealed proposals, addressed to: City of Washington, Missouri 405 Jefferson Street Washington, MO 63090 Attention: Mary K. Trentmann, City Clerk

Bids will be received at the office of the City Clerk, 405 Jefferson Street, Washington, Missouri, 63090 up to 2:00 p.m., CDT, on Friday, April 26, 2013, to be opened in the Conference Room at said City Hall shortly thereafter on the above date, for Ultrathin Bonded Wearing Surface on Certain Streets and Related Concrete Work. The bid will be awarded to the lowest responsive and responsible bidder.

Plans and specifications may be obtained at the office of the City Engineer, City Hall, Washington, Missouri, upon payment of Twenty-Five Dollars (\$25.00), nonrefundable.

All prospective bidders must hold or obtain a valid City license prior to commencement of work, provide the specified bid, payment and performance security, and provide proof of the specified liability insurance.

Each bid, and accompanying bid security in the form of Bond, a Cashier's Check or a Certified Check, shall be placed in a sealed envelope, and on or across the en-

velope shall be written the words "Ultrathin Bonded Wearing Surface on Certain Streets and Related Concrete Work".

The bid security accompanying each bid shall become the property of the City in case the contract for such work is awarded and the bidder should fail, neglect, or refuse within ten (10) days from the award of the work, to enter into the written contract and give the performance bond required of him/her.

The City Council of said City reserves the right to reject any and/or all bids, and to waive any irregularities therein.

**Special Needs:** If you have special needs addressed by the Americans with Disabilities Act, please notify Mary K. Trentmann at (636) 390-1006, or email: [mtrentmann@ci.washington.mo.us](mailto:mtrentmann@ci.washington.mo.us), or through the Missouri Relay System, 800 735-2966 [TTY] or 800 735-2466 [voice], at least five (5) working days prior to the bid opening you plan to attend.

The City of Washington hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises (DBE) will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, creed, sex, age, ancestry, or national origin in consideration for an award.

Employment of Unauthorized Aliens Prohibited:

(a) Contractor agrees to comply with Missouri Revised Statute Section 285.530.1 in that it shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri.

(b) As a condition for the award of this contract, the Contractor shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. The Contractor shall also sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

(c) Contractor shall require each subcontractor to affirmatively state in its contract with Contractor that the subcontractor shall not knowingly employ, hire for employment or continue to employ an unauthorized alien to perform work within the State of Missouri and shall not henceforth do so. Alternatively, Contractor shall require each subcontractor to provide Contractor with a sworn affidavit under the penalty of perjury attesting to the fact that the subcontractor's employees are lawfully present in the United States.

Construction Safety Program Requirements:

(a) Contractor shall provide a ten-hour Occupational Safety and Health Administration (OSHA) construction safety program for its employees working onsite on the project. The program shall include a course in construction safety and health approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program. All employees working on the project are required to complete the program within sixty (60) days of beginning work on the construction project.

(b) Any employee found on the worksite subject to this section without documentation of the successful completion of the course required under subsection (a) shall be afforded 20 days to produce such documentation before being subject to removal from the project.

(c) Contractor shall require all onsite employees of any subcontractors to complete the ten-hour training program required under subsection (a).

(d) Pursuant to Sec. 272.675 RSMo., Contractor shall forfeit as a penalty to the City \$2,500.00 plus \$100.00 for each employee employed by Contractor or subcontractor, for each calendar day, or portion thereof, such employee is employed without the required training. The penalty shall not begin to accrue until the time periods in subsections (a) and (b) have elapsed. City shall withhold and retain from the amount due Contractor under this contract, all sums and amounts due and owing City as a result of any violation of this section.

CITY OF WASHINGTON COUNTY OF FRANKLIN STATE OF MISSOURI BY: Mary K. Trentmann, City Clerk

Publish in the Weekend Missourian April 6-7 and The Missourian April 10, 2013.

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The Missourian's classified ads are read by tens of thousands of people every week. Proof is in the results and Missourian classified advertisers will attest to their success with the area's top newspaper.

#### NOTICE TO BIDDERS

The St. Clair R-XIII School District is accepting bids for roofing repairs at the high school. Please contact St. Clair R-XIII Central Office for specifications in regard to this job (636-629-3500, ext. 1006). Sealed bids are due April 11, 2013, by noon and will be opened at the Central Office at that time. Please submit bids to:

St. Clair R-XIII Roofing Project Attention: Mark Denbow, Asst. Supt. 905 Bardot Street St. Clair, Missouri 63077 Mark Denbow Assistant Superintendent St. Clair R-XIII School District (636) 629-3500, ext. 1006

Publish in the Weekend Missourian April 6-7 and The Missourian April 10, 2013.

#### INVITATION FOR BIDS

Sealed bids for the Wastewater Facility Influent Lift Station (hereinafter "Project") will be received by the City of St. Clair, 1 Paul Parks Drive, St. Clair, MO 63077, until 2:00 pm CST, on April 18, 2013. The bids will be publicly opened and read aloud at 2:00 pm CST, on April 18, 2013, at City of St. Clair, 1 Paul Parks Drive, St. Clair, MO 63077.

The Scope of Work includes a precast concrete manhole, sewer pipe, valves, purchase and installation of pumps, removal of old pumps, electric service, lift station control panel, demolition of an existing man hole.

Bid packages will be available after 1:00 p.m. on April 3, 2013, and may be obtained from the office of Cochran located at 530A East Independence Drive, Union, MO 63084, upon payment of a nonrefundable fee of \$60.00 per set. For directions, please call 636-584-0540.

A bid security in the amount of five percent (5%) of the bid amount must accompany each bid, in accordance with the Instructions to Bidders.

A prebid meeting will be held on April 11, 2013, at 9:00 am at 1 Paul Parks Drive, St. Clair, MO 63077.

The City of St. Clair anticipates issuing notice to proceed on May 15, 2013.

Publish in the Weekend Missourian March 30-31, April 6-7 and The Missourian April 3 and 10, 2013.

#### ADVERTISEMENT FOR BIDS

Sealed bids will be received by School District of Washington, 220 Locust Street, Washington, Missouri, 63090, until **Thursday, April 18, 2013, at 2:00 P.M. CDT**, for the Washington Senior High School Athletic and Band Complex Renovations. Bids will be opened publicly at that time.

Drawings and specifications for this project are on file at the office of the Architect, Hoener Associates, Inc., 6707 Plainview Avenue, St. Louis, MO 63109, (314) 781-9855, FAX (314) 781-0163.

Information as to bidding instructions and requirements for procuring bidding documents may be obtained from the Architect.

Not less than the prevailing hourly wage rates, as determined by the State of Missouri, Division of Labor Standards, shall be paid all workers employed on this project.

The Board of Education reserves the right to waive technicalities, to select any contractor filing a proposal, and to reject any or all bids.

**A PRE-BID MEETING WILL BE WEDNESDAY, APRIL 10, 2013, AT 9:00 A.M. CDT, AT THE WASHINGTON SENIOR HIGH SCHOOL. ATTENDANCE AT MEETING IS NOT MANDATORY.**

By: Dr. Brendan Mahon Assistant Superintendent

Publish in the Weekend Missourian April 6-7 and The Missourian April 10, 2013.

#### ADVERTISEMENT FOR BIDS

Sealed bids will be received by School District of Washington, 220 Locust Street, Washington, Missouri 63090, until **Wednesday, May 1, 2013, at 2:00 p.m. CDT**, for Augusta Elementary School HVAC Renovations. Bids will be opened publicly at that time.

Drawings and specifications for this project are on file at the office of the Architect, Hoener Associates, Inc., 6707 Plainview Avenue, St. Louis, MO 63109, (314) 781-9855, FAX (314) 781-0163.

Information as to bidding instructions and requirements for procuring bidding documents may be obtained from the Architect.

Not less than the prevailing hourly wage rates, as determined by the State of Missouri, Division of Labor Standards, shall be paid all workers employed on this project.

The Board of Education reserves the right to waive technicalities, to select any contractor filing a proposal, and to reject any or all bids.

**A PRE-BID MEETING WILL BE HELD ON THURSDAY, APRIL 18, 2013, AT 11:00 A.M. CDT, AT AUGUSTA ELEMENTARY SCHOOL.**

TARY SCHOOL. PRE-BID MEETING ATTENDANCE IS NOT MANDATORY.

By: Dr. Brendan Mahon Assistant Superintendent

Publish in the Weekend Missourian April 6-7 and The Missourian April 10, 2013.

### Change of Name

IN THE CIRCUIT COURT OF FRANKLIN COUNTY STATE OF MISSOURI

In Re The Matter Of: **NAME CHANGE: KAREN FRANCES POWERS Petitioner. Cause No. 13AB-DR00100 Division No. VI CHANGE OF NAME**

Public notice is hereby given that on March 19, 2013, by order of the Honorable David L. Hoven, Associate Circuit Judge, Division VI of the Franklin County Circuit Court, the name of Karen Frances Powers was changed to Karen Frances Parham.

Publish in the Weekend Missourian March 23-24, 30-31 and April 6-7, 2013.

### Public Hearing

#### CITY OF PACIFIC PUBLIC HEARING NOTICE

The City of Pacific Planning and Zoning Commission will hold its regularly scheduled meeting at 7:00 pm on Tuesday, April 23, 2013, at the Pacific Government Center, 300 Hoven Drive, Pacific, Missouri 63069. A public hearing will be held to consider the following:

1. PZ 2013-003: A Public Hearing to consider a Conditional Use Permit for operation of a Pawn, Guns, Loans & Sales Store (buying, selling, trading) to be located at 205 North First Street, Pacific, Missouri 63069; Grant Thornton, applicant.

This meeting is open to the public. As provided in the Zoning Regulations of Pacific, Missouri, the above item will be discussed and considered by the Planning & Zoning Commission and all persons interested in said matter will have an opportunity to be heard.

Daniel P. Rahn, PE City Engineer

Publish in the Weekend Missourian April 6-7, 2013.

#### NOTICE OF PUBLIC MEETING

Pursuant to Section 77 of the 2001 Unified Land Use Regulations of Franklin County, Missouri, notice is hereby given that a public hearing will be held before the Franklin County Board of Zoning Adjustment on Tuesday, April 23, 2013, in the Franklin County Government Center, Commission Chambers, at 400 East Locust Street, Union, Missouri, to consider the following case(s). The hearing will begin at 7:00 P.M. (Doors will open at 6:30 P.M.)

**FILE 130064 LINMARK MACHINE PRODUCTS, INC.**

**Request:** Applicant is requesting a variance of fifteen (15) feet from the fifty (50) building setback as required in Article 8, Section 193 (B), for a new setback distance of thirty-five (35) feet.

**Location:** Property is located at 553 Commercial Drive, just west of Highway 47 at the northwest corner of Commercial Drive and Lost Pines, in Township 43 North, Range 1 West, Section 10, Union Township, being parcel 17-2-10.0-0-019-042.000.

By order of the County of Franklin, State of Missouri, on April 3, 2013.

Scottie Eagan Planning Director

Publish in the Weekend Missourian April 6-7, 2013.

### Public Notice

**PUBLIC NOTICE NOTICE OF WINDING UP AND DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST RIECHER'S REAL ESTATE DEVELOPMENT, L.L.C.**

On March 21, 2013, Riecher's Real Estate Development, LLC, a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State. The dissolution was effective on December 31, 2012.

You are hereby notified that if you believe you have a claim against Riecher's Real Estate Development, LLC, you must submit a summary in writing of the circumstances surrounding your claim to Michael C. Dempsey, Attorney at Law, 30 South McKinley, Union, MO 63084. The summary of your claim must include the following information: 1) the name, address, and telephone number of the claimant; 2) the amount of the claim; 3) the date on which the event on which the claim is based occurred; and 4) a brief description of the nature of the debt or the basis for the claim.

All claims against Riecher's Real Estate Development, LLC, will be barred unless the proceeding to enforce a claim is commenced within three (3) years after the publication of this notice.

Publish in the Weekend Missourian April 6-7, 2013.

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IN THE CIRCUIT COURT OF FRANKLIN COUNTY, MISSOURI

PROBATE DIVISION V **BRADY J. WHALEY PARKER L. WHALEY, BY THEIR NEXT FRIEND TAMARA J. MILLER, PETITIONERS VS**

**JERRY L. WHALEY, RESPONDENT ESTATE NO. 12AB-PR00282**

In The Estate of: **JERRY L. WHALEY, Deceased ORDER OF PUBLICATION OF NOTICE OF AMENDED JUDGMENT ESTABLISHING PRESUMPTION OF DEATH THE STATE OF MISSOURI TO JERRY WHALEY, an absent person, presumed dead, and to all other persons interested in his estate:**

You are hereby notified that on February 27, 2013, the Probate Division of the Circuit Court of Franklin County, Missouri, entered an Amended Judgment Finding and Declaring that Jerry L. Whaley, whose last known domicile was in Sullivan, Franklin County, Missouri, is presumed dead. Said supposed decedent, Jerry L. Whaley, if alive, or any other person for him shall produce, within 12 weeks from the date of the last publication of this notice, to wit on July 10, 2013, in the Probate Division of the Circuit Court of Franklin County, Missouri, satisfactory evidence of the fact that Jerry L. Whaley is still living, and if no such evidence is produced within said time, Letters of Administration will issue to the person entitled thereto.

It is ordered that a copy hereof be published according to law in the Washington Missourian, a newspaper of general circulation published in Franklin County, Missouri.

A true copy from the record. Witness my hand and seal of the court this 26th day of March, 2013.

Publish in the Weekend Missourian March 30-31, April 6-7, 13-14 and 20-21, 2013.

**PUBLIC NOTICE NOTICE OF WINDING UP AND DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST RIECHERS' TRUCK BODY AND EQUIPMENT CO., L.L.C.**

On March 21, 2013, Riechers' Truck Body and Equipment Co., L.L.C., a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State. The dissolution was effective on December 31, 2012.

You are hereby notified that if you believe you have a claim against Riechers' Truck Body and Equipment Co., L.L.C., you must submit a summary in writing of the circumstances surrounding your claim to Michael C. Dempsey, Attorney at Law, 30 South McKinley, Union, MO 63084. The summary of your claim must include the following information: 1) the name, address, and telephone number of the claimant; 2) the amount of the claim; 3) the date on which the event on which the claim is based occurred; and 4) a brief description of the nature of the debt or the basis for the claim.

All claims against Riechers' Truck Body and Equipment Co., L.L.C. will be barred unless the proceeding to enforce a claim is commenced within three (3) years after the publication of this notice.

For classification purposes only Riechers' Truck Body and Equipment Co., LLC, is not affiliated in any manner with Riechers Truck Body & Equipment Co. currently operating at 6470 Michels Dr., Washington, Mo.

Publish in the Weekend Missourian April 6-7, 2013.

### Final Settlement

IN THE CIRCUIT COURT OF FRANKLIN COUNTY, MISSOURI

PROBATE DIVISION In The Estate of **MARTHAA A. KOPPELMANN, Deceased**

**Estate No.: 12AB-PR00181 NOTICE OF FILING A PETITION OF FINAL SETTLEMENT AND PROPOSED ORDER OF DISTRIBUTION**

To all persons interested in the above referenced estate:

You are hereby notified that the Personal Representative will file a Petition to Approve the Final Settlement and Proposed Order of Distribution for the estate together with a Final Settlement on or about May 10, 2013, or as may be continued by the Court.

If no objections to the Settlement or Proposed Order of Distribution are filed within 20 days after the date of the filing thereof, the Court will consider said Settlement and proposed Distribution and, upon their approval, the Court will determine the persons entitled to the Decedent's descendible interest in the estate and the extent and character of their interest therein.

Upon proof of compliance with the Court's Order of Distribution by the Personal Representative, the Court will discharge the Personal Representative and sureties, if any, from further claim or

demand by any interested person.

Michael Leroney Personal Representative

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