

DISTRICT COURT OF County County COUNTY, KANSAS

Small Claims Procedure

Ingrid Bowman, 1041 W Spruce St, Junction City.

Plaintiff—name and address

Faith Tabernacle Church, 1010 Burke St, Junction City

Defendant—name and address

PETITION

PURSUANT TO CHAP. 61 OF K.S.A.

No. 2003 SC 20

To Plaintiff: Read instructions on bottom of this form. Set forth a short and plain statement of your claim below.

Plaintiff, having read the instructions on the bottom of the petition, asserts the following claim against the above defendant(s):

Faith Tabernacle Church and school installed a playground and dumped gravel and sand underneath the swings, etc without building an encasement:

During rain this gravel and sand washed into my backyard, killed the grass

and the clean-up is impossible for me and would have to be accomplished by a professional. I requested a proposal from West Acres and forwarded

it to Faith Tabernacle, but was turned down and instructed not to contact them again. (see 9 encl)

Based on the claim stated above, judgment is demanded against defendant(s) as follows: (check applicable provision)

- Payment of \$ 426.55, plus interest, costs and any damages awarded under K.S.A. §60-2610
- Recovery of the following described personal property, plus costs—estimated value of property \$ _____

The plaintiff, hereby declares under penalty of perjury under the laws of the State of Kansas that, to the best of plaintiff's knowledge and belief, the above claim asserted against the defendant(s) (including the estimate of value of any property sought to be recovered) is a just, true, and correct statement, exclusive of any valid claim or defense which defendant(s) may have.

- Check this box if the plaintiff is an attorney or a corporation or entity that will appear by an attorney or former attorney or person qualified to be an attorney as defined by law.

Executed on 17 Mar, 1903

Ingrid Bowman
Signature of Plaintiff

Indicate this box to request personal or residence service of the summons and not certified mail service. If you do not mark this box the sheriff or process server may make certified mail service or you may make certified mail service. Follow strict terms of the "returns" on back of the summons form if you make the service yourself.

The trial on this matter is set for May 19th 2003 at 9:00 A.M. at

138 E 8th St, Junction City KS 64041
Place of hearing and address

This communication is an attempt to collect a debt and any information obtained will be used for that purpose.

INSTRUCTIONS TO PLAINTIFF:

1. State the claim you have against the defendant(s) in the space provided on the petition form. Be clear and concise.
2. Your total claim against defendant may not exceed \$1,800, not including interest, costs and any damages awarded under K.S.A. §60-2610. If you are seeking the recovery of personal property, the value of that property shall be based on your estimate of its value under unsworn declaration under penalty of perjury.
3. You must be present in person at the hearing in order to avoid default judgment against you on any claim defendant(s) may have which arises out of the transaction or occurrence which is the subject of your claim against the defendant(s).
4. You must make demand for judgment in one or both of the spaces provided on the petition form.
5. Neither you nor the defendant(s) are permitted to appear with an attorney at the hearing unless the other party is an attorney or is a corporation or entity that uses an attorney in a representative capacity. In such case you are entitled to one continuance to obtain an attorney.
6. You may not file more than ten small claims under the small claims procedure act in this court during any calendar year.
7. After completing the petition form, you must sign it. Your signature is under unsworn declaration under penalty of perjury.

Versto Case 3/17/03 KB

FAITH TABERNACLE
UNITED PENTECOSTAL CHURCH

October 18, 2002

Ingrid Bowman
1041 W. Spruce St.
Junction City, KS 66441

In response to your letter and concerns we have taken what we deem appropriate and reasonable measures on our property.

Faith Tabernacle Church

spiritualabuse.org



LEONARD E. WESTBERG
Pastor

Ingrid Bowman
1041 W Spruce St
Junction City, KS 66441-3445

13 January 2003

Faith Tabernacle
United Pentecostal Church
PO Box 307
Junction City, KS 66441

Re: Your note, dtd 18 Oct 02

To Whom it May Concern;

Thank you for your note and the quick-fix along the fence line. As you (?) stated, it is a reasonable measure, however not necessarily an attractive solution. Hopefully it will prevent further damage.

Which brings me to the next point. I am talking about the damage to my property already incurred. I will attach a proposal, an estimate issued by West Acres to fix my backyard. I would like for you to take a look at it and let me know how you would like to settle it, pay upfront or after West Acres completes the job.

Thank you,

INGRID BOWMAN

1 Encl

The
New

West Acres Nursery, Inc.

P.O. Box 5
2516 W. Hwy. K-19
Junction City, KS 66441
phone 785-238-2647
fax 785-238-1931

PROPOSAL

DATE

1/8/2003

ESTIMAT...

340

Ingrid Bowman
1041 W Spruce
Junction City, KS 66441

DESCRIPTION	QTY	COST	PROJECT
			TOTAL
Kansas Premium Fescue Blend		24.00	24.00T
Prairie Hay		16.00	16.00T
Starter Fertilizer		20.00	20.00T
Topsoil		40.00	40.00T
Labor to remove gravel in yard, fill in ruts with topsoil, seed, cover with prairie hay and apply starter fertilizer		320.00	320.00
Client Signature & Date			
West Acres Signature & Date			
Sales Tax		6.55%	6.55
Proposal is for the conditions present at the date above and the prices are good for 30 days.			TOTAL \$426.55

Ingrid Bowman
1041 W Spruce St
Junction City, KS 66441-3445

7 February 2003
SUSPENSE: 21 February 2003

Faith Tabernacle
United Pentecostal Church
PO Box 307
Junction City, KS 66441

To Whom it May Concern:

On 13 January 2003 I sent you a Proposal, issued by West Acres, for the repair on my backyard. Unfortunately I have not received an answer from you yet.

I enclose another copy of the Proposal/Estimate and hereby request a reply from you by 21 FEBRUARY 2003.

Thank you,

INGRID BOWMAN

1 Encl

February 10, 2003

Ingrid Bowman
1041 W. Spruce St.
Junction City, KS 66441

In response to your second letter and concerns let us repeat our position. We have taken what we deem appropriate and reasonable measures on our property. We will not and cannot be held responsible for acts of nature.

When we suffer damages due to acts of nature we notify our insurance company. Do not write this address any more.

Faith Tabernacle Church

IN THE DISTRICT COURT OF Geary

COUNTY, KANSAS

Ingrid Bowman
 1041 W Spruce St
 Junction City, KS 66441
 Plaintiff(s)

versus

Faith Tabernacle Church
 1010 Burke St
 Junction City, KS 66441
 Defendant(s)

FOR CLERK'S USE ONLY

 FILED
 IN MY OFFICE
 THE DISTRICT COURT
 GEARY COUNTY

2003 MAY 19 AM 10:55

Case No. 2003SC 20

JOURNAL ENTRY OF JUDGMENT

On this 19 day of May, 2003, this action comes on for trial.

The court finds that each person against whom judgment is entered has been properly served with summons or process herein and that this court has jurisdiction to enter the judgment requested.

Whereupon, the court finds that judgment should be entered: by reason of the default of the said defendant(s); by agreement of the parties; or by a trial of the issues herein.

(Witnesses for Plaintiff)

(Witnesses for Defendant)

spiritualabuse.org

JUDGMENT IS ENTERED AS FOLLOWS:

- (RECOVERY OF MONEY) Judgment for plaintiff(s)/defendant(s) against _____ defendant(s)/plaintiff(s) for the principal balance of \$ _____, together with interest at _____% per annum to date of judgment and costs. Principal balance shall bear interest at _____% per annum from this date until payment in full.
- (DISMISSAL) On motion of plaintiff, the action is dismissed without with prejudice.
- DEFENDANT/PLAINTIFF ADVISED OF RIGHTS OF APPEAL.

 (OTHER) _____

The judgment creditor in this case is the party or parties to whom money is owed and the judgment debtor is the party or parties who owe money. If this judgment has not been paid within 15 days of the date of this judgment, the judgment creditor shall mail a copy of this judgment form to the judgment debtor together with this statement of assets.

Within 30 days of receiving the statement of assets form, unless the judgment has been paid, the judgment debtor shall complete the statement of assets form and return it to the Clerk of District Court.

Plff. _____


 Judge

Def. _____

*Check the Above Items Applicable to This Judgment