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RECORDED ON

05/05/2021 08:56:41AM

REC FEE: 30.00

PAGES: 3

DEBORAH L ENGEMANN
RECORDER OF DEEDS
WARREN COUNTY, MO

Special Water Assessment Claremont Property Owners May 1, 2021

On the above date the Claremont Homeowner's Meeting was held on Ivy Court. After the sign-in sheet was reviewed it was determined that seventy five percent (75%) of the owners were present or represented by proxy. At that time a "Special Water Assessment" proposal was introduced.

The proposal was to put into effect a Special Water Assessment that would only be invoked if there was a repair to one or more wells or if there was an expense to one or more of the wells that was required by the Missouri Department of Natural Resources. If after such repair or expense stated in the previous sentence would leave the water fund with a balance that would not allow the water fund to pay the monthly electric expense, water testing expense and the insurance premium, then and only then would the Special Water Assessment be utilized. If the Special Water Assessment is levied onto the residents of Claremont the trustees holding office at that time would send out to all the residents a detailed report as to the amount of the repair or expense and the remaining balance in the water fund. If the remaining balance was not sufficient to pay the monthly expenses until the next annual water assessment is collected, then the amount of the repair or expense would be sent out and divided by the property owners in Claremont.

When the Special Water Assessment is levied it would be equally divided, no matter which well in Claremont needed the repair. Lot owners that reside in Claremont that own more than one parcel would be responsible for only one portion of the Special Water Assessment. If the owner of more than one parcel would build a residence on one or more of his/her adjoining lots then that resident/lot owner would be invoiced for whatever lots had a

residential structure as defined in the original Declaration of Roadways, Easements and Restrictions, Paragraph 6, Page 4 Of 14.

When a repair or expense occurs that causes the Special Water Assessment to be utilized the payment invoiced to the residents would be due and payable within thirty (30) days. Extenuating circumstances would be taken into consideration. If after thirty (30) days the trustees and the resident/lot owner cannot work out an agreeable payment plan then the trustees holding office at that time would follow the same procedure that is set forth in the original Declaration of Roadways, Easements and Restrictions, Paragraph 16 and 17 on page 10 of 14 in the Declaration of Roadways, Easements and Restrictions.

Those two paragraphs are copied and pasted below.

16. LIEN FOR UNPAID ASSESSMENTS: Any Assessment levied shall be due and payable thirty (30) days after its approval as hereinabove set forth. An Assessment levied in accordance with the provisions hereof shall be binding upon all of the Owners. In the event that said Assessments are not paid as and when same are due, the Trustee serving as secretary of said meeting at which said Assessment was duly approved shall no later than one hundred eighty (180) days after the approval of such Assessment cause to be recorded in the office of the Recorder of Deeds of Warren County, Missouri, a notice that said assessment is due and owing, which notice shall recite the time and place of meeting, that a quorum was present, the amount of the Assessment so voted upon at said meeting, the name of the Owner(s) who have failed to pay said Assessment, the description of the Parcel(s) of said Owner(s) and that the person signing said statement was duly selected to record the proceedings of said meeting. In addition to the lien provided, the chairman, secretary and/or treasurer as selected at said meeting or any Owner may, on their own behalf and on behalf of Owners, bring suit against any Owner who shall fail to pay said Assessment. In the event that no such suit is filed within three (3) years after the date of filing of any statement in the Office of the Recorder of Deeds of Warren County, Missouri, then and in such event, the lien provided for herein shall lapse.

17. COLLECTION OF ASSESSMENT: In the event that a suit is filed to enforce the lien as hereinabove provided, then the Owner against whom such lien is sought shall pay all reasonable attorney's fees and costs incurred by the Trustees or the enforcing Owners as the case may be in connection with the prosecution of said lien, as approved by a court of competent jurisdiction. Said attorney's fees and costs shall be added to the amount of the lien upon judgment to enforce same. Upon rendition of a final judgment, it may be enforced and executed in the manner provided by law, including, without limitation, execution upon the Parcel against which the lien was imposed.

On May 1, 2021 after reviewing this document the Residents/Lot Owners of Claremont voted **54** votes in favor of approving and accepting the Special Water Assessment in Claremont. A quorum of fifty (50) residents was present in person or by proxy with thirty eight (38) votes being needed for approval.

This meeting, vote and acceptance were witnessed by the residents in attendance of the meeting. The trustees will keep record of the minutes and those in attendance.

This document is said to be true, to the best recollection of the trustees signed below.

Chairman, Dennis O'Fallon, Treasurer, Roger OBrecht, Secretary, Matt Schulte

Dennis O'Fallon Roger OBrecht Matt Schulte

On this 3 day of May, 2021 before me appeared Dennis O'Fallon, Roger OBrecht and Matt Schulte to me personally known who being by me duly sworn, did say that they are the Association Chairman, Treasurer and Secretary respectively of Claremont Property Owners Association, a Not-for-Profit Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument was signed and sealed on behalf of said Corporation, by authority of its Board of Directors, and the said Dennis O'Fallon, Roger OBrecht and Matt Schulte acknowledged said instrument to be the free act and deed of said Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first written above.

Pat Kaspar
Notary Public

Commission in: Warren Co.

My term Expires:

7/20/2022

