

ANNUAL MEETING
MINUTES
April 9, 1985

The meeting was called to order by Mr. Erkenbeck, Trustee.

Election was held to elect new Trustees. Jim Clutter, Wayne King & Bill Meyer were elected.

A motion was made and seconded that any property owner, whether by warrenty deed, fee simple title, or purchasing under contract for deed, be entitled to vote for any purpose provided for in the indenture restrictions providing that the assessments are paid. An amendment to the motion was made that the indenture may be amended by fifty-one percent (51%) vote of the property owners present at any special or scheduled meeting.

Mr. Erkenbeck, Trustee, cast the proxy vote for all lots owned by National Development Company in favor of the motion making the vote unanimous.

The next Trustee meeting will be on August 24, 1985. Letters will be sent to all property owners advising them of the time and place.

Mr. Erkenbeck discussed raising the assessments on the property, but the new Trustees wanted to wait and see what could be done with the assessments as they stand.

A sign on the beach about no dogs allowed was discussed.

Discussed womens bath house and when it would be repaired.

Discussed Deer Lake. Mr. Erkenbeck said it was fixed. If it was not fixed then it was up to the Trustees to fix it.

Discussed guard problems. They are to be handled by the Trustees.

Discussed abandoned cars, trash, buildings, etc. Trustees are to send letters out to the problem owners.

Dennis Parkers unfinished house was discussed. He's to either finish it or take it down.

Electricity was discussed with nothing solved at this time.

Discussed how to handle over due assessments. Suggested that the Trustees send out letters charging interest, file liens against property if necessary. Publish names of people that have not paid.

Plaintiffs Exhibit 5

V. JODLAND LAKES TRUSTEES

WOODLAND LAKES BOX 12

SULLIVAN, MO 63080

Minutes of Annual Meeting
April 12, 1986

Bill Meyer called the meeting to order at 10:20 A.M.. The agenda was set aside to permit an explanation about the troubles with National Development. He also explained that National Development had just billed us for \$257,116.63 for work that they stated they did for us. They wanted to cancel out their assessment bill with this and wanted to vote at the meeting. Bill introduced Mr. Norman Stricker, Attorney at Law for the Trustees. The assessment bill and the bill from National Development are two separate issues and therefore cannot cancel each other out. Therefore, Nationals request to vote was denied. National Development stated that they didn't feel that we had a quorum and they would protest any vote taken. This matter will be settled in court.

Bill Meyer introduced himself. Wayne King introduced himself. Bill explained that Jim Clutter was not in attendance due to the fact that he was attending Real Estate school.

Debbie Clutter read the minutes of the August 24th meeting. The motion was made to enter the minutes into the record. This motion was seconded and the motion carried.

Debbie Clutter read the financial statement. A question was brought up about the dam repairs that were made to Emerald Lake Dam, this was carried to new business. A question was asked about what the accounts payable to Crawford Electric represented, it was explained that this was the special assessment collected to date. The balance of the special assessment is to be paid to Crawford on May 1. A question was asked about why a property owner had to pay the special assessment when electric was already running past their lot. Bill explained that in order to have power available to all that all had to pay. This was proposed at the August 24th special meeting and voted by the majority of property owners. This was a legally voted special assessment and was to be collected in the same manner as the regular assessment.

The question of bonding the Trustees was brought up. Bill said this should be carried to new business.

It was asked if we had a quorum at the special meeting. Bill explained that the voting procedure had changed at the April 9th annual meeting, and that it only took 51% of those present at a meeting to make a quorum. There was a question about notification of meetings, they are stated in the amendments and they are published in the Independent Journal in Potosi. A property owner made the statement that he agrees with the fact that the property owners attending the meetings should make a quorum, as that is how government elections are held, with those caring to vote deciding on a matter. It was proposed that we set a number of property owners present to create a quorum. This was carried to new business.

It was questioned as to how many guards we have and when they patrol. A question was asked as to whether or not there was patrolling on Friday night. We have five guards and there is one patrolling at random hours at some time every day including Friday. There is not a guard on patrol 24 hours a day.

Plaintiffs Exhibit 4

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A question was asked as to whether or not we had our money in an interest bearing account. It was stated that if you had a tax payer number as a non profit organization you could place the money in an interest bearing account. The Trustees said they would check into this.

A motion was made to enter the financial statement into the records. This was seconded and carried.

Raylene Robertson read a letter she had written to Woodland Lakes thanking all the office help and guards for all the help they had received during their move to Woodland Lakes.

Bill Meyer expressed the thanks of the property owners to Jim Carr for the use of National Developments maintenance building for our meeting.

We moved on the old business with the first item being the pavilion/office that was proposed at the August meeting. Bill explained that the reason that it has not been started is that after contacting several banks, none of them would lend money to a trusteeship as there was no one person to go after if a default on the loan occurred. Bill said that we would keep trying and that at least soon we would have a temporary office.

The electric lines are now being installed for the first 10 miles of line by a sub-contractor of Crawford Electric. Crawford Electric determined where these lines would go by applications submitted in an area. Townsend Tree Service is the company clearing the right of way. They leave the trees that are cut for the individual property owners use. Crawford Electric's engineer decides where the poles are to be set and he usually places these on the property line. It was asked approximately how much it would cost to hook-up to electric. The average cost for 100 AMP service is \$500-\$600.

Repairs to dams were discussed. Bill restated that since the dams had never been permitted by the State of Missouri that they were still owned by National Development and the Trustees would no longer spend Trust funds on repairs to any of the dams.

The new bath house was discussed. The reason it is not open is because it is not complete. Until a holding tank, gravel & painting are complete it is still the property of National Development. Jim Carr, Project Manager for National Development could give us no completion dates.

It was stated that due to heavy rains a lot of damage was done to our roads, we are getting them back in shape. It was questioned as to which roads were worked on by the Trustee equipment. The Trustee equipment is used solely on Trustee roads. It was mentioned that a 12 inch culvert pipe is the minimum allowed, and that quite a few small pipes were removed because of the damage they were causing to the roads. Bill urged everyone with a culvert to check them and clean them and the path to them if necessary. A property owner indicated a road wash out in Section 52. The Trustees will look into it. Mr. Clanahan said the culvert on common ground across from his lot needed cleaned. This will also be looked into. It was asked what the basis was before new roads were accepted by the Association. They are not accepted until they are completed and solid. Mrs. Arnold asked about the corner on East Lakeshore Drive. Wayne

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said they had filled in the corner as much as possible but with the grade of the hill there was little more that could be done. It was asked if National was still developing and were we working on these new roads. The answer was yes National is still developing and no we do not work on these new roads.

The county road was brought up with suggestions that we band together and start a petition to the Washington County Commissioners. Norman Stricker suggested that those of us who could vote in Washington County to vote for the candidates who are willing to help our cause. Those who cannot vote can still contribute to those candidates who are sympathetic to our cause. He also suggested that when we do get a petition together that we have media coverage when presenting it to the commissioners. Mrs. Arnold was going to start a petition and David Lee, publisher of the Suntree Journal said he would handle it through his paper.

It was brought up that there are quite a few streets that did not have names on them. This was directed to Jim Carr, Nationals representative. He said they were behind on making signs and that they should all be up within 90 days. A motion was made that the road maps were not helpful and that the street signs should be horizontal and that the bath houses are not marked. A point of order was made and this was moved to new business.

The speed limit is 15MPH for everyone's protection and will be enforced by the guards. We need the names and/or license numbers of those not complying with the speed limit in order to do something about it.

The speed "dips" were put in at the request of the property owners to get them to slow down. We had some complaints about the depth and width. Bill told the property owners if they wanted them removed they would have to vote to do so. We had complaints about the warning signs being too far in advance of the dips. A motion was made and seconded that there be a notice sign placed at the gate that speed dips are placed throughout the development. This motion carried.

Property owners are disregarding the no burning sign and we have had several fires get out of control. If you see someone burning when the conditions are not favorable for burning, either let them know it is unsafe or get security to tell them. Norman Stricker said that if you are burning and the fire leaves your property that you could be liable for damages up to three times the cost of the damaged property. Also, you should be careful with cigarettes thrown from car windows.

We have had reports of property owners discharging firearms on the property, but unfortunately no names were given. If you want us to do something about it you must tell us who is doing it. Someone has also shot the barrels in Crystal Lake at the beach. This has caused them to sink and therefore costs us all to replace them.

Bill congratulated the majority of motorized recreational vehicle riders for abiding by the rules. There were a few complaints about not being able to see the 1 inch red numbers on these vehicles. Parents should make sure children are riding in a safe manner. Three or four on one vehicle is not safe.

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A large number of children are not supervised at all while riding these vehicles. It was asked where property owners could ride these vehicles and let them out. There is no place within the development to do this nor will there be as the liability would be too great. It was asked if these vehicles could be ridden in the new lake beds, this is not recommended as this causes damage to the lake beds. If you want to ride faster than 15 MPH you must leave the development.

We have a number of unsightly lots in the development. Please remove your tents when you leave. We have removed a number of these that have blown off of lots. We also have a number of makeshift structures on the property, letters will be sent out soon for removal of these structures.

There are a number of for sale signs and advertisement signs on the property. Name signs are the only signs permitted on your property.

It was asked about where fireworks could be shot off on the 4th of July. Our restrictions make no provisions pertaining to fireworks. It was stated by Mr. Shelton that a No Fireworks Sign was at the gate last year.

We finished with old business and moved to new business.

The first order of new business was the problems we have had with National Development. We billed National for assessments due by them in December. At the beginning of the meeting they presented us with a bill for expenditures that they allege we owe them. We are reviewing their expenditures and we are trying to get the filing dates of the plats from the Records Office in Potosi. The bill they presented and the assessments due by them are two separate issues and are to be kept separate.

As stated before there are nine dams at Woodland Lakes, these are legally owned by National Development not the Property Owners Association. The Trustees have spent \$11,000.00 out of ignorance regarding the dams, but will make no additional repairs on the dams. There has been approximately \$50,000.00 spent previously on dams out of the Trustee fund.

When a person purchases a lot from National Development, the new property owners are billed a prorated assessment for the portion of the year that they own the lot and National Development is billed for the portion that they own.

National Development has refused to release the names of the new property owners to us. Therefore, we are issuing new property owners cards and guest passes to all owners at Woodland Lakes. The owners cards are green and the guest cards are orange. Any owner without the proper stickers or cards will be sent to the Trustee office to get theirs updated. The white cards will no longer be accepted.

We have outstanding assessments in excess of \$200,000.00. Most of this is National Developments but we still do have a large number of owners who have not paid. After a years time a lien will be placed on unpaid lots. Outstanding

assessments can ruin your credit rating and you could be liable for court costs and any judgement against you. A property owner asked whether or not we had to let non-payers enter the property. The Trustees have the right to place a lien on the property and foreclose, but we cannot keep the owners off of their lots. Non-payers will be directed to the Trustee office to pay their assessments. There will be a notice given by mail prior to the placing of a lien on a piece of property. Interest is now being added at a rate of 10% per annum on unpaid assessments. Property owners who have not paid do not have the right to vote.

Proposal #1 on the ballot: Article I 3 was changed to read that the successor or successors to the Trustee or Trustees whose term has expired shall be elected by the lot owners at the annual meeting and the owner or owners of lots within the subdivision shall be entitled to one (1) vote for each full lot owned not to exceed five (5) votes per any one owner which vote may be cast in person or by proxy, however, no person or entity in attendance shall vote more than five (5) such votes. And that one hundred (100) of the lot owners present and voting shall constitute a quorum at the respective meeting of each.

This proposal passed with 161 voting yes and 12 voting no.

Proposal #2 on the ballot: Article I 4. was changed to read as follows; in any election or Trustees, the owner of each lot shall be entitled to one (1) vote for each full lot owned by him, not to exceed a total of five (5) votes per any one owner, which vote may be cast in person or by proxy, however, no person or entity in attendance shall vote more than five (5) such proxies. Any person shall be considered as an owner entitled to vote for any purpose provided for in this indenture provided said person is the owner by fee simple title, warranty deed, or purchaser of the property under contract for deed; and provided that said person shall have fully paid all assessments which may be lawfully made by or under authority of this indenture.

This proposal passed with 171 voting yes and 6 voting no.

Proposal #3 on the ballot: Article III 1. (B) was a wording change removing the words, of all and replacing them with, who are present and voting.

This proposal passed with 163 voting yes and 14 voting no.

Proposal #4 on the ballot: Article IV 2. Two commas were added to the sentence, "No constructed dwelling shall be constructed, on any lot purchased, in the subdivision with less than 1,000 square feet of floor space excepting porches and porticos." Enterprise was added to the sentence, "No commercial enterprise or business other than those of the Grantor shall be constructed within the subdivision." The sentence reading, "This excludes converted buses, trucks, truck campers, and vans," was amended to read, "Converted buses, trucks, truck campers and vans cannot be brought into Woodland Lakes unless commercially manufactured as recreational vehicles."

This proposal passed with 160 voting yes and 12 voting no.

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Proposal #5 on the ballot: Article IV 3. was changed by removing the words septic tanks and replacing them with aerator.

This proposal passed with 165 voting yes and 9 voting no.

Proposal #6 on the ballot: Article V, paragraph 11 was deleted in entirety because it was a repeat of Article IV, paragraph 10.

This proposal passed with 176 voting yes and 5 voting no.

Proposal #7 on the ballot: Article V, paragraph 12 was deleted in entirety because it was a repeat of Article IV, paragraph 11.

This proposal passed with 167 voting yes and 4 voting no.

Proposal #8 on the ballot: Article VIII 1. A new amendment reading, "No assessment shall be considered paid for the purpose of granting voting privileges unless said payment shall have been made ten (10) days prior to the election where such vote shall be cast."

This proposal passed with 167 voting yes and 9 voting no.

A property owner asked which lakes had already been stocked. Mr. Carr said that there was fish in every lake except Lake Del Lago and that it would be stocked.

A motion was made to change the time of the meetings until the afternoon. The motion was seconded but failed when voted on.

A motion was made that all generators had to be turned off at 10:00 P.M. This motion was seconded. The voice vote was too close to determine the results so it went to a hand count. The motion was defeated with 25 voting in favor and 31 voting against.

A motion was made that street signs should be installed horizontally and that the bath houses should be marked. This motion was seconded and then declared an illegal motion as National Development puts up the signs and not the Trustees. The motion was amended that the Trustees would go to National Development and request the correction of the signs. This was seconded and passed.

Bill Meyer said that the Suntree Journal was a good vehicle of communication for the property owners, but it was put out by an individual and he could not continue to send out free issues. We suggested that if they wanted to continue getting the paper they should subscribe.

A motion was made and seconded that the generators did not have to be shut off at 10:00 P.M. but that they did have to be muffled. This motion passed.

Jim Carr representing National Development made a statement that they felt any vote taken at the meeting was invalid.

Motion to adjourn meeting, seconded and passed at 1:10 P.M.

WOODLAND LAKES TRUSTEL

WOODLAND LAKES BOX 12

SULLIVAN, MO 63080

FINANCIAL REPORT 7/31/85 THROUGH 3/31/86

CHECKING ACCOUNT BALANCE 7/31/85	\$ 36,963.67
DEPOSITS 7/31/85 - 3/31/86	158,672.85
PETTY CASH 7/31/85	<u>100.00</u>
TOTAL INCOME	\$195,736.52

SECURITY PAYROLL	\$ 33,697.02
MAINTENANCE PAYROLL	16,450.00
OFFICE PAYROLL	5,782.00
TELEPHONE & UTILITIES	3,435.19
LICENSES, TAGS & INSURANCE	4,546.56
BATH HOUSE SUPPLIES	162.37
OFFICE SUPPLIES	2,994.49
FUEL & MAINTENANCE SUPPLIES	4,653.33
EQUIPMENT PURCHASES	4,300.00
ROAD MAINTENANCE	2,288.88
GENERAL REPAIRS	1,265.82
EQUIPMENT REPAIRS	3,250.30
DAM REPAIRS	11,886.44
IMPROVEMENTS	4,555.65
ACCOUNTS PAYABLE TO CRAWFORD ELECTRIC	45,988.21
MISCELLANEOUS	1,641.64
LEGAL FEES	<u>850.00</u>
TOTAL EXPENDITURES	\$147,747.90

CHECKING ACCOUNT BALANCE 3/31/86	\$ 47,770.40
PETTY CASH 3/31/86	<u>218.22</u>
TOTAL CASH ON HAND 3/31/86	\$ 47,988.62