



Country Times



SPECIAL NOTICE

- **The CLWII Annual Corporate Meeting** will be held Tuesday, March 5, 2013, at Manchester Police Facility, 200 Highlands Blvd., 2nd Floor, 7:00—9:00pm (elevator available).

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Country Times

January/February, 2013

CLWII LAWSUIT UPDATE—January, 2013

As many of you know, and others may not, the subdivision has been involved in a lawsuit since 2006. Here is a summary:

During 2005, a small resident group, headed by John Osthus, brought to the trustee's attention some issues they felt had been handled incorrectly. Included were title errors for common ground, the lack of an annual corporate meeting, passage of the corporate by-laws and two amendments to the subdivision indentures.

Trustees corrected the issues of common ground ownership with the original developers' heirs and attorneys. CLWII always had monthly meetings open to everyone....now one of those meetings each year is the annual corporate meeting (which is in accordance with Missouri Not-For-Profit corporate statutes). Trustees sought legal advice and followed all procedures set forth in the subdivision indentures required for passage of Amendments 2 & 3. The same was true for the

drafting of the corporate by-laws.

In 2006, John Osthus, Mary Fitzpatrick, Richard Duff, and Mike Page filed a lawsuit against the trustees, citing these issues, as well as the outcome of several elections they had called to remove the trustees from office. The plaintiffs were later joined by additional residents in their lawsuit.

This suit was heard in St. Louis County Circuit Court starting in 2006 and ending in 2010. During the suit, the judge ordered the trustees to hold (and pay for) a vote on whether residents wished to retain the current corporate by-laws or adopt those proposed by Mr. Osthus and his group. The response from the residents was 72% in favor of the standing by-laws and 28% in favor of the proposed by-laws. The court also ruled that the ad hoc elections the group held to remove the trustees/directors were invalid. All other claims were also denied. Twice during this time, Mr.

Osthus filed suit against the trustees in Missouri Small Claims Court disputing his annual assessment. Each time, his claims were denied.

Mr. Osthus and his group then filed an appeal on the first decision with the Eastern District of the Missouri Court of Appeals. That case was heard in December of 2012. The Court of Appeals dismissed the case. He then filed to have the case heard by the entire panel of the Court of Appeals (a 9-member panel). They dismissed this appeal as well.

During the course of all this, the subdivision has expended about \$18,127.66, and our insurance company has spent \$78,952.11 (or \$195.33 per homeowner). In addition, since 2006, our insurance premiums rose by 39% and our deductible has gone from \$1,000 to \$10,000.

We want to thank everyone for their support.

—The CLWII Trustees

THINK SPRING AND EGG HUNT!!!!



The Easter Bunny's left his eggs. See how many you can find as we celebrate this special day!

This year the CLWII Easter Egg Hunt is scheduled for Saturday, March 23, 2013, at 10:30am. Bring

your baskets and your kids for a hoppy-filled day. **(Rain delay date is March 30th)**

This year's highlights include a photo opportunity with the Easter Bunny, face paintings, and a decorated Easter egg contest. Do you decorate eggs for Easter? If so, bring a decorated Easter egg with you to the egg hunt. The best overall egg will

receive a prize and, of course, recognition of being the First Annual Winner!!!

Anyone is welcome to fill eggs at my house on Wednesday, March 20, from 6pm till 7pm. Please call me at 636-861-9345 to offer help. Thanks so much and look forward to seeing you at the hunt!!

—Renee Fronabarger

Clubhouse, Grounds & Other Neighborhood Business



Clubhouse:

The clubhouse has undergone a slight facelift (see photo at left) with the addition of an awning to provide shelter from the elements. The street address aids in identification. There are two porch lights, one on either side, that are operable by a labeled wall switch inside the front door. Two more lights, one above the awning and one underneath, are on a dusk-to-dawn automatic sensor.

Financial Info:

The results of the December budget vote were as follows:

53 votes for \$275.00

13 votes for \$270.00

Therefore, the 2013 assessment will be \$275.00.

In related news, a separate account has been established to start construction funds for tennis court repair/replacement.

Trustee Elections:

Trustee Keith Brown was re-elected in his bid for another 3-year trustee term in December. Ballots have been mailed and are scheduled to be re-

turned by February 4, for the elections of Mike Ritchie, Eric Ruegg, and newcomer Ken Payne, who will be filling the vacancy left by Carol Weber.

ACC Report:

All homeowners should be aware of the importance of the Architectural Control Committee. They are the people you **must get approval** from for every exterior improvement. And for cedar terrace homeowners, this also means paint and trim color.

Last summer, all cedar terrace homeowners received a copy of Amendment 3 of the CLWII Indentures, along with a letter reminding them of the approval of paint color, even if it is the same color.

Unfortunately, not everyone reads this newsletter. We are asking you to be a good neighbor; if you see any outside work being done on your neighbor's home, please ask them if they submitted a required form for ACC Review, which is available on the subdivision website. This may spare them time, expense or hard feelings in the future.

There have been several projects in our neighborhood completed without a review and ended up as a violation of our indentures and fines can result!

The rule is simple: **EVERY-ONE** doing a home repair or maintenance project **must** submit a form for ACC review.

Ameren Report:

CLWII has experienced several power outages over the past five years, with the latest significant one occurring on 11/4/12. On behalf of the subdivision, trustee Keith Brown contacted Ameren and requested a review and response on the electric service in the entire neighborhood. The link below will give you an update on where repairs are/have occurred and what will be done in the near term. <http://www.countrylanewoodsii.com/ameren.html>.

It appears that the neighborhood is now on Ameren's radar for continued review and replacement of facilities where they are warranted. If you have any questions or concerns, please contact the trustees @ 636-225-0930.

“The rule is simple: EVERYONE.. must submit a form for ACC review”

Christmas Light Winners

Trustees are proud to announce the Christmas decoration winners:

-812 Windsor Gardens—The Mauer Family

-848 Country Stone Dr.—The Brown Family

-1634 Award Dr.—The Armstrong Family

-1466 Cherry Creek—The McNichol Family

-1537 Huntington View—The Boris Family (pictured at left)

Thanks to all of you for making our neighborhood look festive for the holidays.



IN MEMORIAM.....

On December 11, 2012, Dolores (Dodie) Revie, formerly of Country Hill Ln., passed away in Florida.

Many of you may remember Dodie from her tenure as trustee from 2000 to 2003. She was brought home to St. Louis for burial. May she rest in peace.



Looking for a tutor? Call a qualified elementary and middle school teacher 636-225-0522

CLWII's very own swim team, **THE WAVES**, will be having a parent's meeting this Spring. If your child wants to be a part of this summer activity, call **Monica Brown @ 314-517-0264** or email her at brown1645@aol.com

CLWII ADS

ANDY'S GREEN TEAM, LLC

<p>Andy Coates Owner/Operator Free Estimates (314) 974-3023</p>		<p>Mowing Mulching Landscaping Planting Fertilizing/Seeding</p>
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andysgreenteam@yahoo.com

PARKING REMINDER!

Street parking is limited to no more than a 24-hr consecutive period by city ordinance. Please park in garage or driveway whenever possible and during predicted snow events (snow routes are posted), as certain areas in our subdivision have very limited amounts of street parking and access to mailboxes.



NEWSLETTER AD RATES

Personal Ads (1-2 lines).....FREE
Commercial (Resident).....\$15.00
Commercial (Non-resident)....\$25.00
For other sizes, contact Trustees (see back page).

Looking for donated bicycles

(almost any condition) for non-profit church organization. Call 636-225-8151 for pick-up/delivery. Tax receipt given at time of donation.



KIRKPATRICK CONSTRUCTION



CEDAR SIDING – POWER WASHING/STAINING – HOME IMPROVEMENTS – DECKS – SMALL LANDSCAPING PROJECTS – LAWN CARE – AND MORE

**-REFERENCES AVAILABLE
-INSURED**

**EMAIL: kirkpatrick_construction@yahoo.com
MICHAEL KIRKPATRICK 314-327-6718**

COUNTRYLANE WOODS II SUBDIVISION

851 Country Stone Drive
Manchester, Missouri 63021

636-225-0930 to contact
CLWII Trustees

CLWII EMAIL ADDRESS:
trustees@countrylanewoodsii.com



TRUSTEE EMAIL ADDRESSES

Keith Brown:
keith416@swbell.net

Lynn Lee:
lleeclwii@sbcglobal.net

Ken Payne
payne_ken_c@yahoo.com

Mike Ritchie:
mikegritch@aol.com

Eric Ruegg:
rueggeric@sbcglobal.net



MAIL TO:

CLUBHOUSE RENTAL INFORMATION



Looking for a space for your next birthday party? Baby Shower? Special Dinner? Business Meeting? Then we have the perfect place! Come and check out our refurbished clubhouse and newly remodeled kitchen and banquet rooms. Kitchen features stainless steel appliances. You will also find plenty of folding tables and chairs to accommodate your guests.

We provide trash bags, cleaning supplies, paper towels, mop and vacuum cleaner. All that is required of you is to clean up after your gathering is over. We do require a security deposit of \$250.00, which is refundable if premises are clean, trash bags removed to outdoor trash receptacles, and no damages have been incurred.

RENTAL RATES *

Deposit..... \$250.00

Winter Rental Rate..... 75.00
(Between Labor & Memorial Days)

Summer Rental Rate..... 100.00
(From Memorial Day thru Labor Day)

Pool W/Clubhouse..... 100.00

Pool rental only..... 100.00

WEEKNIGHT RENTALS SAVE \$25!

Pool rentals must be made several weeks in advance as lifeguards will be required. Scheduling and payment arrangements must be made with pool company. **Pool rentals must end no later than 11:00pm.**

Log onto our website to view the rental calendar and check the availability dates. Please call 314-494-5966 for rental bookings. Premises may be viewed at 6:30pm the first Monday of each month.

Wi-Fi access and HD antenna are also available. Use our Wi-Fi for your business meetings! Bring down your HD television monitor and hook it up to our HD antenna for baseball or football games!

Remember, no pets are allowed inside clubhouse...and smoking is only permitted in designated outdoor areas.



*Rental/deposit checks are required within 5 days of booking to insure rental date.