

# Sunset Lake Association

P.O. BOX 61 • GIRARD, ILLINOIS 62640 • PHONE: [217] 627-3232

## NOTICE OF ANNUAL MEETING

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AUGUST 30, 1991

The annual meeting of the membership of Sunset Lake Association will be held at the St. Patrick's Church (Meeting Hall), West Center and Eighth Streets, Girard, Illinois on Friday, August 30, 1991 at 7:30 p.m. to receive reports from officers and committee chairpersons, to elect four (4) directors at large from the Class "A" Membership, to adopt an operating budget for the calendar year 1992 and to transact any other business that may be properly presented at this meeting.

Three (3) directors will be elected for terms of three (3) years each. One (1) director will be elected for a two (2) year term. Nominations will be made from the floor. If any member is interested in serving as a director or has any questions, feel free to contact the office.

The following By-Law changes are to be voted on:

- 1) ARTICLE II, Section 3 (Annual Meeting)
- 2) ARTICLE VI, Section 3 (a)[Sale of lots not directly on  
(See back of page) Sunset Lake]

Plus the following Resolutions are to be voted on:

- 1) Resolutions I & II (Empowerment to negotiate a settlement  
with Snell court case)  
(See attached copy)

The treasurer has prepared and the directors have approved an operating budget for the calendar year of 1992. A copy is enclosed.

If you cannot be present at the annual meeting, a proxy form is enclosed in which you may execute a proxy in favor of a Class "A" member who will be present. Please mail the executed proxy to the Secretary, Sunset Lake, P. O. Box 61, Girard, IL. 62640. Proxies may also be turned in at the annual meeting. In accordance to the By Laws, a member can vote only one (1) proxy in addition to the member's own vote.

Registration for the meeting will start at 6:30 p.m., the meeting will start promptly at 7:30 p.m. Hope to see you there.

Respectfully yours,

*Glenda M. Sutton*

Board of Directors  
Glenda M. Sutton  
Secretary

Enclosures: Proxy Form, Proposed 1992 Budget  
Comparison Report, Cash Position  
Membership List

PROPOSED BY-LAW CHANGE

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1) ARTICLE II, Section 3 (Annual Meeting)

The annual meeting of the members of the Association shall be held at a convenient location on the Friday before the last Friday of the month of August each year at the hour of 7:30 P.M. for the purpose of electing directors and for transacting such other business as may come before the meeting. Should the day fixed fall on a legal holiday, such meeting shall be held on the next succeeding business day. If the election of directors shall not be held on the day designated herein for any annual meeting or at any adjournment thereof, the Board of Directors shall cause the election to be held at a meeting of the membership as soon thereafter as conveniently may be.

2) ARTICLE VI, Section 3 (a) [Sale of lots not directly on Sunset Lake]

No additional real estate may be incorporated into Sunset Lake Association for the purpose of generating new leases without being voted on and accepted by either 1) a majority of the total Class "A" membership, or 2) a two-thirds (2/3) vote of the votes entitled to be cast by the members present or represented by proxy at such meeting.

## RESOLUTION I

Resolved, that the Board of Directors empower the Association's attorney, Stuart Dobbs, to attempt to negotiate a settlement of Snell, et al. v. Sunset Lake Association, acceptable to the Board, and the Court, which shall be effective upon approval of the Board and the Court. Any such settlement shall:

1. Limit the number of lots available for development in Sunset Lake West Subdivision and reach an agreement that such lots will occupy shoreline no greater than that presently platted, and will prohibit any additional development of land now owned by Snells for residential purposes thereafter;
2. Require any lessee or purchaser of Sunset Lake West Subdivision property to have full use of the Lake, only upon the terms and conditions, limitations and rules that apply to all members of Sunset Lake Association and their guests;
3. Define the boundaries of Sunset Lake Association property as it lies contiguous to property owned by Snells;
4. Require any owner or lessee of Sunset Lake West Subdivision property to pay a just share of the expenses of Sunset Lake Association;
5. Require Snells and all owners of interests in common with Snells to convey their interests in the Lake Bed to the Association;
6. Provide for mutual cooperation to protect the watershed, Lake quality, recreational value and integrity of the shoreline of Sunset Lake.

## RESOLUTION II

Resolved, that the Board of Directors empower the Association attorney, Stuart Dobbs, to attempt to negotiate a settlement of Snell, et al, v. Sunset Lake Association that includes granting residential lot owners or lessees in Sunset Lake West Subdivision membership in the Association upon conveyance of such lots to the Association, under circumstances acceptable to the Board of Directors of the Association.

SUNSET LAKE ASSOCIATION

AUGUST 30, 1991

The annual meeting of Sunset Lake Association members was held Friday, August 30, 1991 at the St. Patrick's Church Hall, West Center and Eighth Sts., Girard. The meeting was called to order by President Frank Gibbons at 7:30 p.m. with all nine Board Directors present.

Pres. Frank Gibbons declared a quorum by announcing that 82 Class "A" members were present with 49 Class "A" members represented by proxies which total 131 voting members represented. Gibbons welcomed everyone.

A motion was made by Mrs. Ardy Turner #25 and seconded by Robert Slagle #55,#57 to amend the reading of the minutes and approve as written minutes from annual meeting August 31, 1990 and special meeting October 20, 1990. Motion carried.

Pres. Frank Gibbons remarked on the status of the Snell court case. The court dates were August 5th & 6th. At the end of this time, Judge Shiffman gave Snell's attorney 21 days to present their proposal, then gave our attorney 21 days to answer this proposal. The Judge could also use this allotted time to make his decision, therefore, making a final decision not available until November. The Judge told both parties that he strongly advised them to settle this among themselves. If parties allow Judge to make decision, the Judge could be running Sunset Lake Asso. Board of Directors are asking membership's approval to negotiate this settlement. To update members on attorney's fees, Gibbons stated from 1988 through 1990 fees totaled \$15,145.64; 1991 fees to date are \$10,782.80, making a complete total of \$25,928.44. He remarked a settlement would stop these high fees. He read a letter received from Snell's attorney, Robert Dodd, stating the Snells are willing to work towards a settlement.

Association's attorney, Stuart Dobbs, explained the situation of the Snell case as it stands at this time. He reviewed points brought out in trial and how Asso. stands toward those points. In final decision, law could go either way, there are no guarantees that Judge will decide in our favor. Therefore, it is attorney's recommendation to agree on negotiating a reasonable settlement to assure Asso. members still will have control of Association.

Stuart Dobbs reviewed the need for members to change the By-Law, Article VI, Section 3(a) in order to pass the Resolutions I & II to be voted on later in meeting.

Pres. Gibbons opened the floor for questions.

Jim Power #256 asked for a show of hands from Board who was in agreement to negotiate a settlement and would Judge's decision be what Asso. could accept.

S. Dobbs explained the Judge cannot make any decisions that are against our present Rules & Regulations.

Dave Miller #270A asked if Snells were asking to plat 13 or 24 lots, the original plat shows 24 lots.

Dobbs stated the Snells have temporarily revised boundaries of the original plat of 24 down to larger lots of 13 lots.

Dobbs answered questions concerning the process the original warrenty deed of Alma England was given to Association which includes a disputed area of property.

Mrs. Ardy Turner #25 asked if Snells become members, will they abide our Rules & Regulations.

Dobbs stated your Rules & Regulations allow you to regulate any violations members perpetrate.

Robert Slagle #55,#57 asked about surrounding residential area, could they expand lots in this way.

Dobbs stated the Snells are limited to 24 lots by a court decree, any other subdividing later of other areas will not have a legal case to use the lake as they will not own any lake bed.

Harry Holcomb #239 asked what was being done to keep Snell from using lake at present.

W. Walker reported on asking Snell to get off the lake and he complied.

Weldon Stetter #214 asked if we negotiate, will this give us control of only 13 - 24 lots.

Dobbs stated Snells possibly could develop more lots, but an agreed settlement will control the number of lots.

Barbara Driver #275 asked if there are any other points of lake where new subdivisions could be developed.

Dobbs explained there is a possibility of two other points of property where a legal battle could occur, but according to the way this legal case is negotiated and settled, this will help set a precedent on other cases.

Mike Kaydus #235 asked about possession of disputed property line near Lot #1.

Dobbs explained our position on owning property line by adverse possession.

Bruce Weller #130 asked if Association will receive a percentage of sale of the lots through a negotiated settlement.

Dobbs stated through the negotiations, one time fees plus usual assessments would be collected at sale of property.

Margaret Szymiski #76A asked if they are willing to become Association members.

Dobbs stated that in a court decision, Snells would not be members, in a negotiated settlement, it is to the Associations favor to assure they become members.

Marijane Westendorf #56 asked is the resolution we are now voting on the settlement agreement.

Frank Gibbons explained Board Directors will negotiate on what resolutions and all necessary points are needed in order to make the best solution for Association.

Pres. Frank Gibbons had the proposed By Law changes and resolutions explained to members. Ballot 1 will be used to vote on the By Law change on Article VI, Section 3(a)[Sale of lots not directly on Sunset Lake]; ballot 2 will be used to vote on Resolution I; ballot 3 will be used to vote on Resolution II.

A motion was made by Weldon Stetter and seconded by John Schwandner to pass the By Law change on Article II, Section 3(Annual Meeting) which will change the annual meeting date. Motion passed by voice vote.

The results of Ballot 1 are: 99 yes & 32 no, By Law change was passed; results of Ballot 2 are: 100 yes, 29 no, Resolution I passed; results of ballot 3 are: 102 yes & 26 no, Resolution II passed.

Committee Chairman's Reports:

Aquatic Control, Recreation & Water Safety: Ward Walker reported on stocking the lake with small walleye, and stated results are looking good; was able to also stock \$1,000 worth of fat-head minnows from funds saved by not spraying lake with chemicals, this will help feed the fish. Under water safety, he explained the two boating accidents that occurred over the summer, luckily no one was badly hurt. He asked the help of all members to read their rule book and inform all of their guests of these rules to assure no more accidents will happen. Walker also reported he is working with Ray Reardon on a new water quality testing program to check for clarity, algae, etc. The results are mailed to EPA every couple weeks throughout the summer, Paul Erley and Lou Long volunteered to also assist with this program plus Bill Hohimer, Maintenance man.

Building & Construction: Terri Charles reported on several boat docks being repaired or built due to the lowering of the lake level, two new houses have been built, also new updated building permit forms are being printed.

Farm Management: Ray Stansberry read a report from John Earley who has been helping him monitor the farming process. The soybean crop is currently looking great due to a monitored chemical spraying process in the spring and a fairly decent growing season.



Finance & Public Relations: Terri Charles reported on putting Sunset Lake newsletters in local paper for members information although some articles are edited by newspaper staff before publishing.

Legal & Litigation: Frank Gibbons reported on two more legal cases still pending but they are on hold right now.

Roads & Grounds: Henry Sutton reported on working with a small road program budget of \$500, therefore projects were minimal. Projects included repairing road near Lot #236 which required five tons of packing mix to prevent any more damage; during winter to control snow and ice, a load of slag was purchased and spread on main roads, plowing personal driveways were done after main roadways; a special thanks was given to Snodgrass Lot #41, #41A for their cooperation in removal of evergreens located on edge of their lots that were blocking visibility. On the Island Project, Sutton stated the project was finished December 2nd with cost held under the projected \$10,000 expense, with additional grass seed purchased with excess funds. He explained how the project was completed, this included hiring some high school boys to rip rap 13 semi loads of rock around Island and building a sandy boat landing which will make Island a good place for a picnic. Of course members should contact patrolman to assure no conflicts and keep Island free of trash and papers. He also contacted Ducks Unlimited concerning the nesting geese and ducks and did not expect any problems, Sutton stated there are eight nests on Island and one on the dam. Sutton also reported on the condition of Asso's old tractor, explaining the many mechanical problems plus a few unsafe conditions for the operator. It was decided to form a committee to examine two options, repair the 23 year old tractor or purchase a new one. The committee decided the best option was to purchase a new tractor, bids were accepted from three local tractor businesses, upon examining these bids, Konneker-Brown at Carlinville was approved as the low bidder for \$21,673.93 (with trade-in) this International has four-wheel drive, the bid saved \$1,000 on an used endloader and can be delivered quickly. He stated there are two boys working with maintenance man through the Ill. Valley Summer Work Program at no cost to Asso. and he also had repaired concrete on tower while lake water level was low at a cost of \$2,500.

Sanitation, Shoreline & Boat Docks: Jim Perry reported that members with sand filter septic systems should be installing chlorine tablets regularly; also he noted how all the repairs on boat docks since the water was down has everything looking good.

Water Quality, Soil Conservation & Restoration: Ray Reardon reported on results of water sample tests he has periodically been taking, the findings show good water clarity and quality according to experts from EPA; Reardon also stressed the importance of using washing products with low-phosphates, this helps control the weeds in the lake; he reported on volunteer members helping monitor secchi disk tests through the EPA Lake Monitoring Program, a major benefit to this program is EPA publishes a paper which tracks your progress through these test results and will be helpful for our own knowledge.

Questions & Answers: Members asked if lake was going to be lowered again.

Frank Gibbons stated possibly will lower every 2 - 3 years as this proved to be very beneficial to members.

Members gave compliments on water clarity.

A question was asked if Asso. has a clean-up day for trash pick-up of large items.

Frank Gibbons suggested calling the local trash hauler for such items as we do not have such a program.

Frank Gibbons called for discussion and approval of 1992 Budget.

A motion was made by Robert Slagle #55, #57 and seconded by Clem Charles #7 to

approve the 1992 Budget as presented. Motion carried.

Under President's Address, Frank Gibbons explained the circumstances of three Board resignations, Ron Rice, Jim Hyatt and Jim Perry. He thanked all three for a job well done. Because of these openings, Frank Gibbons moved up to President, Ray Reardon was appointed Vice President and Al Tretter was appointed new Board member to finish out Ron Rice's term that ends this year. This left four openings for Directors this time, three terms for three years and one term for two years.

Pres. Gibbons called for Election of Directors and opened the floor for nominations.

A motion by Sam Molen and Gladys Scott nominated Henry Sutton. Motion carried.

A motion by Clem Charles and Harry Holcomb nominated Dave Miller. Motion carried.

A motion by Ray Stansberry and Ardy Turner nominated Sharon Lindsay. Motion carried.

A motion by Weldon Stetter and Ray Stansberry nominated Al Tretter. Motion carried.

A motion by Clem Charles and Ray Stansberry closed the nominations. Motion carried.

A motion by Clem Charles and Ward Walker was made to have the incumbants, Henry Sutton and Al Tretter, serve two of the three year terms. Motion carried.

Sharon Lindsay and Dave Miller was asked to introduce themselves and speak to members.

A motion by Dave Miller and seconded by Bob Slagle was made to have Dave Miller serve the two year term and Sharon Lindsay serve the three year term. Motion carried.

Larry McDuffee thanked the Board of Directors for their good work.

Ward Walker complimented maintenance man, Bill Hohimer, for his extra work he does for members which brings in extra income for Association.

A motion by Clem Charles and Ray Stansberry was made to adjourn the meeting. Motion carried.

Adjourned 10:30 p.m.

*Glenda M. Sutton*

Secretary

SUNSET LAKE ASSOCIATION

AUGUST 30, 1991

ANNUAL MEETING

AGENDA

CALL TO ORDER

DETERMINATION OF QUORUM

APPROVAL OF MINUTES OF ANNUAL MEETING August 31, 1990  
SPECIAL MEETING October 20, 1990

PRESIDENT'S REMARKS

VOTING ON BY-LAW CHANGES AND RESOLUTION

COMMITTEE CHAIRPERSON'S REPORTS:

AQUATIC CONTROL & RECREATION	WARD WALKER
BUILDING AND CONSTRUCTION	TERRI CHARLES
FARM MANAGEMENT	RAY STANSBERRY
FINANCE & PUBLIC RELATIONS	TERRI CHARLES
LEGAL & LITIGATION	FRANK GIBBONS TERRI CHARLES AL TRETTER
ROAD & GROUND MAINTENANCE	HENRY SUTTON
SANITATION, SHORELINE & BOAT DOCKS	JIM PERRY
WATER QUALITY, SOIL CONSERVATION & RESTORATION	RAY REARDON
WATER SAFETY	WARD WALKER

QUESTIONS & ANSWERS

APPROVAL OF 1992 BUDGET

PRESIDENT'S ADDRESS

ELECTION OF DIRECTORS

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT



# Sunset Lake Association

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(See back of page) Sunset Lake]

Plus the following Resolutions are to be voted on:

- 1) Resolutions I & II (Empowerment to negotiate a settlement  
with Snell court case)  
(See attached copy)

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*Glenda M. Sutton*

Board of Directors  
Glenda M. Sutton  
Secretary

Enclosures: Proxy Form, Proposed 1992 Budget  
Comparison Report, Cash Position  
Membership List

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SUNSET LAKE ASSOCIATION

Comparison of Annual Budget With Receipts and Disbursements  
For the Period From January 1, 1991 to August 9, 1991

	<u>Annual Budget</u>	<u>Year To Date</u>	<u>Over or (Under) Budget</u>
<b>RECEIPTS:</b>			
General Assessments	\$ 36,500.00	\$ 35,177.57	\$ (1,322.43)
Building Permits	400.00	390.00	(10.00)
Fines & Penalties	300.00	311.49	11.49
Farm Income	2,500.00	-0-	(2,500.00)
Interest	4,000.00	3,160.62	(839.38)
Transfer & Lease Fees	3,500.00	1,800.00	(1,700.00)
Earned by Maintenance Man	500.00	643.25	143.25
Boat Permits (Year 1 of 2 Years)	1,800.00	5,106.00	3,306.00
Cablevision Income	1,200.00	1,105.24	(94.76)
Other Receipts	400.00	403.00	3.00
Sub-Total Receipts	<u>\$ 51,100.00</u>	<u>\$ 48,097.17</u>	<u>\$ (3,002.83)</u>
Island Repair Assessment *	<u>\$ 10,080.00</u>	<u>\$ 9,310.00</u>	<u>\$ (770.00)</u>
Total Receipts	<u>\$ 61,180.00</u>	<u>\$ 57,407.17</u>	<u>\$ (3,772.83)</u>
<b>DISBURSEMENTS:</b>			
Patrol/Maintenance Man's Salary	\$ 15,300.00	\$ 10,200.00	\$ (5,100.00)
Secretary's Salary	5,150.00	3,433.32	(1,716.68)
Legal & Accounting Fees	8,000.00	7,493.25	(506.75)
Office Rent	900.00	600.00	(300.00)
Postage, Printing & Office Exp.	2,000.00	985.85	(1,014.15)
Maintenance - Lake	4,000.00	319.78	(3,680.22)
- Roads	500.00	127.50	(372.50)
- Grounds	1,000.00	1,011.50	11.50
- Equipment	1,800.00	983.40	(816.60)
Gasoline & Oil	1,800.00	1,409.61	(390.39)
Maintenance Expense & Supplies	200.00	235.58	35.58
Farm Expense	250.00	1,108.52	858.52
Fish Stocking	-0-	1,056.00	1,056.00
Utilities	2,500.00	1,730.87	(769.13)
Insurance	2,500.00	2,576.95	76.95
Employment Taxes	1,700.00	1,200.35	(499.65)
Property Taxes	2,000.00	2,071.24	71.24
Misc., Interest, Mileage Exp.	500.00	450.07	(49.93)
Equipment Reserve	1,000.00	277.80	(722.20)
Sub-Total Disbursements	<u>\$ 51,100.00</u>	<u>\$ 37,271.59</u>	<u>\$ (13,828.41)</u>
Island Repair Expense *	<u>\$ 10,080.00</u>	<u>\$ 321.40</u>	<u>\$ (9,758.60)</u>
Total Disbursements	<u>\$ 61,180.00</u>	<u>\$ 37,592.99</u>	<u>\$ (23,587.01)</u>

\* Island Exp. Budget \$ 10,080.00  
1990 Exp.-\$9,524.06  
1991 Exp.- 321.40  
9,845.46

Difference \$ 234.54

Island Inc. Budget \$ 10,080.00  
1990 Inc.-\$ 210.00  
1991 Inc.- 9,310.00  
9,520.00

Difference \$ 560.00  
- 234.54

Balance \$ 325.46

SUNSET LAKE ASSOCIATION  
PROPOSED 1991 BUDGET

REVENUE:

General Assessments (6% increase - \$6-7 per mem.)	\$ 36,500.00
Building Permits	400.00
Fines and Penalties	300.00
Farm Income	2,500.00
Interest	4,000.00
Transfer and Lease Fees	3,500.00
Earned by Maintenance Man	500.00
Boat Permits (Year 1 of 2 year period)	1,800.00
Cablevision	1,200.00
Other Receipts	<u>400.00</u>
Total Revenue	<u>\$ 51,100.00</u>

EXPENDITURES:

Patrol & Maintenance Man's Salary	\$ 15,300.00
Secretary's Salary	5,150.00
Legal & Accounting Fees	8,000.00
Office Rent	900.00
Postage, Printing & Office Expense	2,000.00
Maintenance: Lake	4,000.00
Roads	500.00
Grounds	1,000.00
Equipment	1,800.00
Gasoline & Oil	1,800.00
Maintenance Expense & Supplies	200.00
Farm Expense	250.00
Fish Stocking	-0-
Utilities	2,500.00
Insurance	2,500.00
Employment Taxes	1,700.00
Property Taxes	2,000.00
Miscellaneous, Interest, Mileage & Etc.	500.00
Equipment Reserve	<u>1,000.00</u>
Total Expenditures	<u>\$ 51,100.00</u>

SUNSET LAKE ASSOCIATION  
PROPOSED 1991 BUDGET

REVENUE:

General Assessments (6% increase - \$6-7 per mem.)	\$ 36,500.00
Building Permits	400.00
Fines and Penalties	300.00
Farm Income	2,500.00
Interest	4,000.00
Transfer and Lease Fees	3,500.00
Earned by Maintenance Man	500.00
Boat Permits (Year 1 of 2 year period)	1,800.00
Cablevision	1,200.00
Other Receipts	400.00
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Total Revenue	\$ 51,100.00
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EXPENDITURES:

Patrol & Maintenance Man's Salary	\$ 15,300.00
Secretary's Salary	5,150.00
Legal & Accounting Fees	8,000.00
Office Rent	900.00
Postage, Printing & Office Expense	2,000.00
Maintenance: Lake	4,000.00
Roads	500.00
Grounds	1,000.00
Equipment	1,800.00
Gasoline & Oil	1,800.00
Maintenance Expense & Supplies	200.00
Farm Expense	250.00
Fish Stocking	-0-
Utilities	2,500.00
Insurance	2,500.00
Employment Taxes	1,700.00
Property Taxes	2,000.00
Miscellaneous, Interest, Mileage & Etc.	500.00
Equipment Reserve	1,000.00
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Total Expenditures	\$ 51,100.00
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