

## Kehrs Mill Estates

### Rules and Regulations

#### Fine Policy- Article IV section 4.01

Pursuant to the authority vested in Kehrs Mill Resident's Association, as trustee, under section 4.01 the Trustee Agreement and Indenture of Restrictions of Kehrs Mill Estates Subdivision as recorded in Book 7193, Page 1244 of the land records of St. Louis County and pursuant to the motion duly made and seconded, the following policy with respect to a Lot Owner's failure to abide by Article IV section 4.01 of the Trust Agreement and Indenture of Restrictions of Kehrs Mill Estates Subdivision, the following fine policy was adopted:

##### Purpose

To provide an appropriate mechanism for the Trustee (Board of Directors for KMERa) to enforce the provisions of the Indentures that require Lot Owners to submit plans and specifications to the Board for approval prior to the commencement of any construction, reconstruction, addition or alterations, painting or repainting to any building, fence, wall or other structure of any kind.....

##### Background

Article IV, Se. 4.01 provides that no work shall be started upon any improvements without the plans for such work being submitted for and receiving approval of the Trustee. The Trustee has the right and the power in its sole discretion to approve or reject all plans and may disapprove and reject such plans which in its judgment affect the desirability and suitability and the maintenance of the site as a first class residential site.

The Board (Trustee) has a duty to enforce the Indentures for the benefit of the Lot Owners of KMERa.

##### Policy

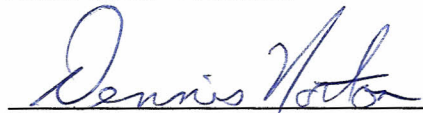
1. Lot Owners who are found by The Board to be in violation of Article IV, sec. 4.01 shall be notified of such violation within 10 days of discovery of the violation by The Board. Such notification shall be by certified letter or other appropriate method by which there is proof of delivery.
2. The Lot Owner shall be allowed 10 business days to come into compliance.
3. Failure by the Lot Owner to comply with the provisions of Article IV, sec. 4.01 with respect to new construction or the material alteration or appearance of existing structures or landscaping within the prescribed period shall result in the imposition of a penalty of \$400.00 for every thirty days of non-compliance following notification of such non-compliance by the Board.
4. The Board shall notify the Lot Owner of the imposition of the initial penalty and of each subsequent penalty until it is paid.

5. Failure by the Lot Owner to correct the non-compliance will result in continuing imposition of the penalty until compliance is achieved. Collection action taken will not result in cessation of penalties nor as liquidated damages as long as the non-compliance continues.
6. The Board, in carrying out its Trust responsibilities, will determine when to commence legal action for the collection of penalties imposed. Such collection action will include recovery of any legal fees incurred by KMERA.
7. If full payment is not received at trial, a Lien will be placed on the Lot Owners property. Penalties will continue to accrue and will be subject to further legal action until compliance is achieved.
8. Penalties and charges are not revocable once assessed.


Approved this 17 day of Sep, 2013

Kehrs Mill Residents Association

  
Artie Ahrens - President

  
Dennis Norton – Vice President

  
Rene Boillat – Treasurer

  
Pete Marsac - Secretary