



P.O. Box 6781  
Chesterfield, MO. 63006-6781

September 10, 2024

To: Homeowners in Meadowbrook Farms/Clarkson Estates Subdivision  
From: Board of Trustees  
RE: Subdivision Annual Meeting

The Meadowbrook Farms/Clarkson Estates Subdivision Annual Meeting will be held on **Thursday, October 24, 2024**, at Chesterfield City Hall, 690 Chesterfield Parkway West, from 7:00 to 9:00 pm in the Council Chambers. **PLEASE NOTE:** this date replaces any previously published date.

The primary agenda for the meeting is as follows:

- Trustees' report and update for **2024**.
- Review and vote on the **2025 Budget**. A copy of the **2025** proposed budget for the subdivision is attached. The annual assessment will be \$255. Do not submit this fee until you receive a bill from City and Village Tax Office in January, **2025**.
- Vote on Amendment to incorporate our HOA as a not for profit corporation.(document enclosed)
- Vote on adoption of Common Elements rule. (document enclosed)
- Trustee Election: Homeowner participation is **CRITICAL**.

Open positions:

- 1 - three-year term ending 2027
- 1 - two-year position ending 2026 to fill a vacancy

We need civic-minded residents to help keep our subdivision a place where we are proud to live. We have had open positions in the past and hope there are those who will volunteer to share the tasks that are vital to our subdivision. Homeowners interested in becoming a Trustee should send their self-nomination for the ballot to Meadowbrook Farms/Clarkson Estates Board of Trustees via email or USPS. Please include your full name, street address, email address, phone number, a short bio and why you are seeking the position. The request must be received by **October 3, 2024**. All nominee names and bios will be posted on the website, [www.mf-ce.com](http://www.mf-ce.com) by **October 10**. Voting will take place at the Annual Meeting (October 24<sup>th</sup>).

If you are unable to attend the annual meeting, absentee ballot **requests** must be received by The Board no later than **October 10, 2023**, via email or USPS. An absentee ballot will be sent to you using the same method you use to request your ballot. Homeowners may request and submit absentee ballots via email or USPS. Return ballots must be received by The Board no later than noon **October 24, 2024**. **Please be sure to include the street address for the vote you are casting.** Remember, ONE VOTE PER HOUSEHOLD.

#### ADDRESS OF THE BOARD OF TRUSTEES

**EMAIL:** [trustee@mf-ce.com](mailto:trustee@mf-ce.com).

**USPS:** Meadowbrook Farms/Clarkson Estates, P.O. Box 6781, Chesterfield, MO, 63006-6781

***If any changes are required affecting the information in this letter, they will be posted to our website, [www.mf-ce.com](http://www.mf-ce.com).***

Thank you,

Brad Barks, Carol Fine, Lisa Monachella and John Thompson  
Your Board of Trustees

Meadowbrook Farm / Clarkson Estates

C	D	T	U		V	W		X	Y		Z
			2024	2024		2024	2024		2025	2025	
1	Budgeted Assessment per home			280.00						255.00	
2	Budgeted number of Homes paying Assessments			562						562	
88		2024			2024					562	
89	<b>Income Statement (Summary)</b>	<b>Year-to-Date Actuals</b>	<b>Annual Budgeted</b>	<b>Expected Variance From Budget</b>	<b>Expected Actual</b>	<b>Proposed Increase from PY</b>	<b>New Proposed Budget</b>				
90	1 Assessments-Current Year	156,231.16	157,360.00	-	157,360.00	(14,050.00)	\$ 143,310.00				
91	Assessments-Prior Years	1,060.00	-	-	950.00	-	950.00				
92	2 Fees Recovered on Late Dues	669.38	750.00	200.00	-	-	-				
93	3 Indenture Violation Fine	-	-	-	-	-	-				
94	4 Interest on Operating Assets	-	-	-	-	-	-				
95	5 Interest on Reserve Assets	124.75	800.00	3,200.00	4,000.00	-	4,000.00				
96	6 Other Income	-	-	-	-	-	-				
97	<b>Total Revenue</b>	<b>158,085.29</b>	<b>158,910.00</b>	<b>3,400.00</b>	<b>162,310.00</b>	<b>(14,050.00)</b>	<b>148,260.00</b>				
98	11 Grounds Maintenance	19,636.72	42,500.00	(4,900.00)	37,600.00	3,200.00	40,800.00				\$20k mowing, \$13k Spring cleanup/mulch, \$7k additional maintenance \$20k Tree removal, \$7k (3)cut-de-sacs, \$5k (7)trees planted, \$6k Honeysuckle eradication, \$2k parks
99	12 Trees	13,200.00	20,000.00	3,000.00	23,000.00	17,000.00	40,000.00				Primarily Street Lights, also irrigation for 2 parks Human caused damage, tree caused damage, up keep on hard assets (irrigation, benches, signs)
100	13 Utilities	16,184.39	29,850.00	200.00	30,050.00	100.00	30,150.00				Entrances completed in 2024. Minimal going forward. Could be reduced if homeowners would elect to use email.
101	14 Repair	2,575.00	2,000.00	1,000.00	3,000.00	(1,000.00)	2,000.00				Missouri Corp Registration fee, new in 2025 Officially budgeted for 2025 Included in line 12
102	15 Physical Upkeep	4,801.59	9,250.00	4,650.00	12,800.00	(12,800.00)	1,300.00				Finalize indenture changes and rule implementation in 2024
103	16 Communications	686.53	2,158.90	-	2,158.90	101.10	2,260.00				21% Federal and 6.25% State on Interest Income Recording and releasing Liens, Legal Fees to City/Village to run the books and collect assessments
104	17 Temporary Decorations	-	1,000.00	-	1,000.00	(500.00)	500.00				
105	18 Misc. Expense	-	-	-	-	500.00	500.00				
106	19 Social Events Committee	323.78	-	2,000.00	2,000.00	-	2,000.00				
107	20 Beautification Committee	-	-	-	-	-	-				
108	21 Insurance	1,047.00	6,000.00	250.00	7,500.00	1,100.00	7,100.00				
109	22 Accounting	740.00	500.00	(5,000.00)	10,000.00	(6,000.00)	7,500.00				
110	23 Legal & Other Professional Fees	1,085.25	15,000.00	-	10,000.00	-	4,000.00				
111	24 Security	332.00	-	1,090.00	1,090.00	900.00	1,090.00				
112	25 Tax Expense	231.00	800.00	-	800.00	800.00	1,600.00				
113	26 Expenses on Late Dues	11,411.70	11,408.60	-	11,408.60	(1,018.63)	10,389.96				
114	27 Collection and Admin Fees	-	-	-	-	-	-				
115	31 Inter Fund Transfers	-	-	-	-	-	-				
116	<b>Total Expenses</b>	<b>72,256.96</b>	<b>140,467.50</b>	<b>2,290.00</b>	<b>142,757.50</b>	<b>1,682.48</b>	<b>144,439.98</b>				
117	<b>Net Income</b>	<b>85,828.33</b>	<b>18,442.50</b>	<b>1,110.00</b>	<b>19,552.50</b>	<b>(15,732.48)</b>	<b>3,820.02</b>				
118	check	-	-	-	-	-	-				
119											
120											
121	<b>Balance Sheet (Summary)</b>										
122	<b>Prior Year Ending Balance</b>	<b>138,012.97</b>	<b>138,012.97</b>		<b>138,012.97</b>						
123	<b>Total Assets (Beginning of Period)</b>	<b>138,012.97</b>	<b>138,012.97</b>		<b>138,012.97</b>		<b>\$ 157,565.47</b>				
124	<b>Net Income</b>	<b>85,828.33</b>	<b>18,442.50</b>		<b>19,552.50</b>		<b>3,820.02</b>				
125	<b>Total Assets (End of Period)</b>	<b>223,841.30</b>	<b>156,455.47</b>		<b>157,565.47</b>		<b>161,385.50</b>				
126	check	-	-	-	-	-	-				
127	Operating Fund	97,555.16	29,210.08	(2,090.00)	27,120.08	(179.97)	26,940.11				
128	Reserve Money Market	(8,340.64)	27,245.39	3,200.00	30,445.39	4,000.00	34,445.39				
129	Reserve CDs	100,000.00	100,000.00	-	100,000.00	-	100,000.00				
130	Capital Fund	34,626.78	30,615.37	(4,600.00)	26,015.37	-	26,015.37				
131	<b>Total Funds Balance (End of Period)</b>	<b>223,841.30</b>	<b>156,455.47</b>	<b>1,110.00</b>	<b>157,565.47</b>	<b>3,820.03</b>	<b>161,385.50</b>				
132	check	-	-	-	-	-	-				
133											
134	<b>Capital Expenditures</b>	<b>\$3,988.59</b>	<b>8,000.00</b>	<b>4,600.00</b>	<b>12,600.00</b>	<b>(12,600.00)</b>	<b>-</b>				
135	<b>Unpaid Assessments due to M-F-CE</b>	<b>19,000.00</b>	<b>-</b>	<b>-</b>	<b>19,000.00</b>	<b>-</b>	<b>24,100.00</b>				

NOTES ON BACK

**Notes:**

- We are on budget for the year 2024 and expect to end the year about \$1,000 under budget.

- We expect a similar amount of expenses for 2025, but in different categories. Funds used to refurbish the Baxter entrance and for legal fees to update the indentures and incorporation in 2024 will be redirected to cul-de-sac remediation, honeysuckle eradication, and tree planting in 2025.

- The other significant change to the 2025 budget is a reduction in assessments of \$25 from \$280 to \$255. At a 3-5% inflation rate, this level of assessment should be sufficient for the next 5 years. The reduction is a result of revisiting the financial projections and reclassifying certain expense items as non-recurring.

- The Capital Fund contains funds received from the Department of Transportation for property acquired during the rebuilding of the Baxter / Country Ridge intersection. To avoid paying tax on these funds, they must be used for capital improvements. The 12/31/2023 balance was \$38,615.37. The subdivision spent \$3,988.59 as of 7/31/2024, and expects to spend an additional \$8,611.41 by the end of 2024 on capital improvements. The expected balance at the end of 2024 is expected to be \$26,015.37.

**The board recommends that the 2025 budget be approved.**

**RULES AND REGULATIONS FOR THE USE OF THE COMMON ELEMENTS  
AND THE PROCEDURES FOR THE ENFORCEMENT THEREOF**

Adopted October 24, 2024

**GENERAL**

1. Meadowbrook Farms / Clarkson Estates Subdivision Board of Trustees ("Trustees"), pursuant to Article IV, Sections 3 and 4 of the Amended Indenture for Meadowbrook Farms / Clarkson Estates Subdivision ("Indenture"), have adopted the following Rules and Regulations ("Regulations"). These regulations may be amended from time to time by resolution of the Trustees.
2. Wherever in these regulations reference is made to "owner", such term shall apply to the owner of any unit, home, or lot, to his family, tenants whether or not in residence, servants, employees, agents, visitors and to any guests, or invitees of such owner, his family or tenant of such owner.

**RESTRICTIONS OF USE OF COMMON ELEMENTS**

3. Nothing shall be done to the Common Elements which will impair or alter the landscape or natural setting without the written permission of the Trustees. Nothing shall be altered or constructed in or removed from the Common Elements.
4. The performance of alterations, modifications, maintenance, repair, restoration, replacement, or change being performed on Common Elements shall be the exclusive responsibility of the Trustees and their agents, employees, and contractors.
5. Nothing shall be done or kept on the Common Elements which will increase the rate of insurance for the Common Elements.
6. All persons using the Common Elements shall do so at their own risk and sole responsibility. The Trustees do not assume responsibility of any occurrence, accident or injury in connection with such use.
7. No noxious or offensive activity shall be carried on in the Common Elements, nor shall anything be done thereon which may be or become an annoyance or nuisance to the other lot owners or neighborhood. No owner shall make or permit anything which will interfere with the rights, comforts or convenience of other owners. No person shall use or enjoy the Common Elements for such a

purpose, or in such a manner, as shall unreasonably encroach upon the rights of other owners to use and enjoy the same.

8. In general, usage of the Common Elements is limited to foot traffic. Devices that are fully human propelled are allowed on paved paths, only, and include but are not limited to bicycles, scooters and toys. Use of a motorized vehicle is prohibited from all Common Elements without the written permission of the Trustees. Motorized vehicles include but are not limited Cars, trucks, construction equipment, electric bicycles, electric scooters and hover boards, but exclude motorized devices operated by in accordance with the Americans with Disabilities Act.
9. There shall be no obstruction of the Common Elements (or portions thereof). Nothing shall be stored on the Common Elements without the prior written consent of the Trustees except as herein expressly provided. This includes but is not limited to sports equipment, basketball standards, tents, vehicles, trailers and structures of any kind.
10. No waste shall be committed on the Common Elements, including but not limited to yard waste, leaves, dirt, branches, rocks or trash.
11. No signs shall be placed on Common Elements for any purpose without the written permission of the Trustees.
12. Natural drainage of Common Elements shall not be impaired by any person or persons. No owner shall interfere with the established drainage pattern of the Common Elements.

#### ENFORCEMENT

13. The Trustees will not impose a fine or suspend any rights to Common Elements of any owner for violations of rules and regulations or of the provisions of the indenture unless and until the procedure below is followed:
  - a. Demand: Written demand to cease and desist from the alleged violation will be served upon the alleged violator specifying:
    - i. The alleged violation;
    - ii. The action required to abate the violation; and
    - iii. A time period of not less than 10 days during which the violation may be abated without further sanction, if the violation is a continuing one, for example, items remain on Common Elements or damage was done to Common Elements that has not been remediated; or

a statement that any additional similar violation may result in the imposition of a sanction after notice and hearing, if the violation is not continuing.

b. Notice: At any time within 12 months of such demand, if the violation continues past the period allowed in the demand for abatement without penalty or if the same rule is subsequently violated, the Trustees or its delegate will serve the violator with written notice of a hearing to be held by the Trustees. The notice will contain the following:

- i. The nature of the alleged violation;
- ii. The time and place of the hearing, which time will be not less than 10 days from the giving of the notice;
- iii. An invitation to attend the hearing and produce any statement, evidence, or witness on the owner's behalf; and
- iv. The proposed sanction to be imposed.

c. Hearing: The hearing will be held pursuant to the notice, affording the owner a reasonable opportunity to be heard. The Owner's failure to appear at a hearing without written consent of the Trustees, shall be deemed as the Owner's consent to the sanction proposed in the Notice being imposed, at the discretion of the Trustees.

14. The Trustees reserve the right to place video recording devices on the Common Elements for the purpose of monitoring activity on the Common Elements and identifying owners who violate these rules.

FINES

15. Any legal costs incurred by the Trustees for citations by the City, County, or State authorities for violations pertaining to drainage or any other type of violations related to Common Elements shall be assessed upon the owner who caused the infraction, if it be known.

16. The cost of repairing any damage to Common Elements resulting from a violation of these rules shall be paid by the owner responsible for the damage. If the Subdivision incurs the cost of repair, the owner will reimburse the subdivision for 110% (one-hundred ten percent) of the cost of repair.

17. The Trustees at their sole discretion may impose a \$50 (fifty dollar) fine on any owner for each occurrence of a violation of a provision of this rule.

# PLEASE READ:

## **-Official Notice of Vote to Amend the Indentures-**

At the October Annual Meeting the Board of Trustees will put forth a request to amend the Indentures which would allow the Board the authority to incorporate. There are many reasons the Board of Trustees feels this would benefit the subdivision.

First, there is no section of Missouri statutes that govern neighborhood associations. By forming a corporation, it would allow us to opt into the laws under the Missouri nonprofit corporation act, which does provide for the governance of nonprofit organizations and fills in many of the gaps that often exist in neighborhood association indentures. For example, it would provide homeowners with clarity as to voting rights, removal of directors and other rights that are not spelled out in the indenture.

Second, incorporating also provides for a single "entity" to act for the association, rather than action by trustees, and keeps the trustees' names off of contract and legal documents as the responsible party.

Third, for owners, the nonprofit corporation laws promote transparency by providing rules for the request for records by owners to the association.

Fourth, as our current community sits, we own the common grounds, meaning every community member is personally liable for the expenses of the common ground and for any damages incurred from the use of the common lands. If we create a corporation that takes ownership of the lands, then the corporation would be the responsible party, and community members would be insulated. The lands themselves as well as other assets of the corporation, such as its bank account, could be liable, but none of us would have our homes in jeopardy. That is a mighty good reason to incorporate.

Finally, in order to maintain the benefits of incorporation, the corporation must remain in 'good standing,' which means it must file annual reports to the state and stay current in filing its tax returns. Most HOAs are established as state Non-Profit Corporations and they have tax exempt income as far as the IRS is concerned, provided they file on time.

The Board of Trustees recommends a "Yes" vote. This amendment is also recommended by the subdivision attorney Jeff Schmitt from Danna McKittrick.

**AMENDMENT TO AMENDED INDENTURE FOR  
MEADOWBROOK FARMS/CLARKSON ESTATES SUBDIVISION**

This Amendment to Amended Indenture for Meadowbrook Farms/Clarkson Estates Subdivision ("Amendment") is made effective this \_\_\_ day of \_\_\_\_\_, 2024 by the Trustees of the Meadowbrook Farms/Clarkson Estates Subdivision ("Trustees").

WHEREAS, certain real property known as the Meadowbrook Farms/Clarkson Estates Subdivision was subjected to a Indenture filed in the records of St. Louis County, Missouri at Book 6571, Page 1631 (the "Original Instrument"), and

WHEREAS, said real property is more particularly described in Exhibit "A" of the Original Instrument; a copy of said legal description is incorporated by reference herein and attached hereto as Exhibit "A;" (the "Subdivision") and

WHEREAS, the Original Instrument was amended by virtue of an instrument entitled "Amended Indenture for Meadowbrook Farms/Clarkson Estates Subdivision" filed in the records of St. Louis County, Missouri at Book 13929, Page 0531 (the "Amended Instrument"); and

WHEREAS, at a meeting of the owners of the Subdivision on \_\_\_\_\_, the owners of the Subdivision voted in favor of amending the Amended Instrument as provided for herein, for the general welfare and benefit of the owners of the lots in the Subdivision, and in the best interests of the community as a whole, as hereinafter set forth.

NOW THEREFORE, upon an affirmative vote of the owners, this Amendment is adopted as follows:

1. The following is added as Article VIII of the Amended Instrument:

**ARTICLE VIII**

**Incorporation**

The Lot owners grant the Trustees the authority to cause the incorporation of a general nonprofit corporation pursuant to the laws of the State of Missouri under the name "Meadowbrook Farms/Clarkson Estates Homeowners' Association" or similar name (the "Corporation"), which Corporation shall then be the governing body for administration of the Common Elements and the enforcement of the provisions of this Indenture and all amendments and restatements thereto, which shall include, but not be limited to the performance of maintenance, repair, restoration, reconstruction, replacement, administration, regulation and operation of the Common Elements and any other purposes as are delegated to the Trustees pursuant to this Indenture. In the event the Corporation is formed, the lot owners, or their successors, shall be the members of the Corporation, and the Trustees shall serve as the initial directors of the Corporation. The rights and obligations of the members and directors of the Corporation shall be identical to those granted to the lot owners and Trustees, respectively, in this instrument, and the Corporation shall further approve bylaws for the administration of the Corporation.

2. All other terms and provisions of the Amended Instrument remain in full force and effect unless otherwise in conflict with the terms of this Amendment. In the event the Amended Instrument conflicts with the terms of this Amendment, the terms of this Amendment shall control.