

# LOCH LOMOND BEACH CLUB

## POLICY AND PROCEDURES MANUAL

SUBJECT: ANNUAL MAINTENANCE ASSESSMENT POLICY #: 6  
REVISED: 12/14/2013, 07/23/16 PAGE 1 OF 3

EFFECTIVE DATE: 5/12/90  
ATTACHMENTS: A,B,C

### POLICY:

All owners of member lots in the Loch Lomond Beach Club, Inc. will be assessed an annual maintenance assessment (to be identified as MA) in order to provide funds to operate and maintain the common property and facilities.

### PROCEDURE:

1. The amount of the MA will be based upon the budget and approved on an annual basis by the Board.
2. Property owner rates (multiple lot discounts apply only after payment on the full rate lot has been paid)
  - First lot - full rate
  - Second lot - 50% of full rate
  - Additional lots- 25% of full rate

Certain lots in Division Four may be used for business purposes as defined in the Town of Cedar Lake, Barron County, Wisconsin. Lots #1 through #47, Block 26, and Lots #1, #2, #19, and #20, Block 21 are included in this Business District. These Lots may result in the building of certain businesses, twin homes, quads, or apartments according to Barron County definitions. Therefore, each residential unit would be assessed an annual maintenance fee (to be identified as MA) equal to that of any other single lot owner.

Example: A twin home built upon aforementioned lots would be assessed an annual maintenance fee of 2 times that of a single family residential lot. A quadplex would be assessed an annual maintenance fee of 4 times that of a single family residential lot and so on.

The Annual Maintenance fee for a business built upon these lots would be addressed at that time by the existing LLBC Board. All lots retain their current classification (1<sup>st</sup> lot, 2<sup>nd</sup> lot, additional lots) as of April 1<sup>st</sup> until the next fiscal year. Lots listed as any type of trust, company or corporation must have on file with the Loch Lomond Beach Club the person, along with their current address, responsible for payment and be designated on the membership card. (Attachment A)

If a lot has multiple owners listed on the deed (other than spouses), one owner must be designated individual responsible for payment of the maintenance assessment and a current address for that individual must be on file. (Attachment 6A). All listed owners are members and membership cards for all owners can be sent to the owner responsible for payment if so requested. Only one statement per lot will be sent.

When two LLBC members want to purchase an adjacent lot that is located between them, and they go through the process to successfully gain Barron County and LLBC Board approvals to divide the adjacent parcel and join it with each of their existing lots so it will be designated as two 1.5 lots, the LLBC Maintenance Assessments (MA) for each member will be computed as follows:

- For the newly designated 1.5 lot, the MA fee will always be 125% of the “First Lot” MA fee
- Example: (This example presumes the MA “First Lot” fee is \$550)  
Annual MA fee for a 1.5 designated lot at 125% rate = \$550 x 1.25=\$687.50

Question: What if one or both members already own more than this lot that is being expanded?

Answer: Any lot that is now a designated 1.5 lot, where the prior parcel # and Lot.Blk.Division number for the shared lot is approved to be “discontinued” by both Barron County and by LLBC board, the MA for the 1.5 lot will always be calculated first and then any other lots owned will be considered as their second, third, fourth lots etc and the MA will be billed and paid accordingly.

Question: Can the Early Payment Discount be applied to the 1.5 MA fee.

Answer: Yes, if the total amount of the member's MA fee is paid prior to April 30<sup>th</sup>, the discount may be applied.

3. Non-voting developers: Developer who owns 10 or more lots for the purpose of resale or speculative building will not be required to pay MA provided: they or their families do not make any personal use of any of the land or club facilities; allow other persons to camp, place a trailer upon, or utilize the lots for any purpose with or without payment; maintain the payment of county property taxes, and maintain the property in good order. Should any of the foregoing occur, the developer status shall be forfeited and regular MA will be required. Persons wishing to be classified as non-voting developers, must receive approval for such status from the Board of Directors of Loch Lomond Beach Club, Inc.
4. All current property owners of the preceding year will be mailed a notification of the MA for the next fiscal year (April 1 – March 31<sup>st</sup>) no later than March 31<sup>st</sup>.

An early discount may be offered to those members owning property prior to April 30<sup>th</sup>. The total amount must be paid by April 30<sup>th</sup>. Multiple lot discounts will be allowed only on lots that are titled identically. i.e., Husband and wife on one lot husband only on second lot will not qualify for multiple lot discount.

5. Persons who become property owners during the fiscal year will be assessed the MA on that portion of the fiscal year that they own the property. Succeeding years MA shall not be prorated. Closings between the 1<sup>st</sup> of the month and the 15<sup>th</sup> of the month will be considered a full month. Closings between the 16<sup>th</sup> of the month and the end of the month will be considered one half month. Purchase of property after April 30<sup>th</sup> is pro-rated on the full amount of the Maintenance Assessment
6. Property owners who do not pay their MA(s) by May 15<sup>th</sup>, may not use any of the club's facilities or services (i.e., clubhouse, pool, tennis courts, docks, boat landing, garbage dumpsters, etc.) until the MA is brought current on all lots owned.

7. Any MA unpaid by August 15th will be considered delinquent. A past due letter (Attachment 6b) will be mailed to the owner of record. If there is no response from the member by September 15<sup>th</sup> a lien will be filed on the property and a letter notifying the member of the lien will be mailed (Attachment 6c) per Policy #8.
8. As of March 31<sup>st</sup> any past due balance not listed with the Collection Agency will be assessed interest on the past due Maintenance Assessment(s) at a rate of 6% per year.

LOCH LOMOND BEACH CLUB  
POLICY #6 ATTACHMENT A

**RESPONSIBLE PARTY FORM**

DATE \_\_\_\_\_

LOT \_\_\_ BLOCK \_\_\_ DIVISION \_\_\_ SUBDIVISION \_\_\_\_\_

**OWNERS LISTED ON THE RECORDED DEED ON FILE AT LLBC**

**Member Name**

The member listed below has been designated the responsible party for paying the annual maintenance assessment, receiving the membership card(s), paying any charges made against the lot listed and receiving any correspondence sent by the Loch Lomond Beach Club, Inc.

**Name** \_\_\_\_\_

**Mailing address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zipcode** \_\_\_\_\_

**Telephone number** \_\_\_\_\_

**Verification by all listed owners - Please have all listed owners sign below.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**LOCH LOMOND BEACH CLUB**  
**POLICY # 6 ATTACHMENT B**

**OVERDUE MAINTENANCE ASSESSMENT LETTER**

Date

Member Name  
Member Address  
Member City, State, Zip

Dear Member Name,

I am a director of the Loch Lomond Beach Club, Inc. (the "Club"), a Wisconsin non-profit corporation. You are a member of the Club because of your ownership interest in the below described property:

Lot:

Block:

Division:

The lot is subject to a Declaration of Covenants and Restrictions of record that creates an obligation for payment of an annual Maintenance Assessment set by the Board of the Club. The By-laws of the Club make you liable for payment of this assessment.

The Club's records disclose that the Maintenance Assessment in the amount of \$(current MA) of the \_\_\_\_ fiscal year billed March and due by (date) has not been paid and is delinquent.

Demand is hereby made by the Club for payment of the sum of \$ (current MA) representing the delinquent Maintenance Assessment. If such sum is not paid by September (date) or no other arrangements have been made, the Club will have initiate collection proceedings. Please act now to reinstate your membership privileges, and avoid this collection process.

Sincerely,

\_\_\_\_\_  
(Board Member), Treasurer  
Loch Lomond Beach Club, Inc.

**LOCH LOMOND BEACH CLUB**  
**POLICY # 6 ATTACHMENT C**

**NOTICE OF LIEN ON PROPERTY LETTER**

Date

Member Name  
Member Address  
Member City, State, Zip

Dear Member Name,

The (current fiscal year) Maintenance Assessment in the amount of \$(current MA) was not received by (date from past due letter) as requested in the past due letter that was sent to you dated (past due letter date).

A lien in the amount of \$(current MA + filing fee) has been filed on Lot\_\_\_ Block\_\_\_ Division \_\_\_ or Subdivision \_\_\_ at the Barron County Courthouse. The amount includes the balance of (current fiscal year) Maintenance Assessment plus the cost involved in filing the lien.

If the \$(current MA + filing fee) for the current year now owed on Lot \_\_\_ Block \_\_\_ Division \_\_\_ is not paid by October 31, (current year) further collection actions can be commenced, including collection agency or foreclosure action. If payment in full is received by October 31, (current year) the lien will be lifted.

Sincerely,

\_\_\_\_\_  
(Board member), Treasurer  
Loch Lomond Beach Club, Inc.