

# **LINN VALLEY LAKES PROPERTY OWNERS ASSOCIATION INFORMATION GUIDE**

**Linn Valley Lakes POA Website**

**[www.lvlpoa.com](http://www.lvlpoa.com)**

**(lower case sensitive)**

**Internet Address**

**[lvoffice@lvlpoa.com](mailto:lvoffice@lvlpoa.com)**

**Office Hours**

**Monday - Friday**

**8:30 am – 5:00 pm**

**Saturday**

**8:30 am – 1:00 pm**

**913-757-4591**

**913-757-2991 (FAX)**

**Golf Course Pro Shop**

**913-757-4597**

02-09-2009

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## **METHOD OF SALE**

We intend to use the cash method of selling. A cash purchaser will receive a deed at the time of closing. The transfer of legal title will be accomplished by a General Warranty Deed.

## **ADMITTANCE PROCEDURES**

The POA has developed a policy for the distribution and use of the Security Devices for the Security Gate System.

Each Member is entitled to two (2) security cards at no cost. Cards will be replaced, free of charge, in case the card(s) become defective.

There are two (2) entry lanes. The right lane is strictly for property owners. Property Owners may also use the left lane with cards. Property Owners can use the right lane with cards or remote control devices. The remote control devices only work on the right entry lane. The card readers are a square, black, box that are available on each side of the gate. You only need to wave the card in front of the box within 12 inches.

Additional Security Cards and/or Remote Control Devices may be obtained from the POA Office at the discretion of the General Manager by paying the stipulated deposit (\$10 Card, \$40 Remote). Deposits will be returned, in full, when the Security Device is returned to the POA Office upon termination of use.

If you are a member and have not obtained your cards, come to the office located by the front gate, during the business hours of Monday – Saturday, 8:30 am-5:00 pm. The office staff will be glad to assist you.

Residents with local phone numbers will have the option of having their name listed in the electronic gate directory allowing guests to contact the member via the electronic display pad located at the visitor's gate. Residents who do not have a local phone number are not listed at the gate directory.

\*\*\*When a resident has a guest or visitor arrive at the gate, the visitor is to use the "A" or "Z" buttons to scroll to the member's name that is located on the display screen. When the arrow is beside the member's name, the visitor will press the "Call" button and this will call the member's home telephone. The member will be able to speak with the person at the gate. If the member chooses to allow the visitor to enter through the gate, the member will press "9" on their touch tone telephone. The call will automatically disconnect and open the gate.

For large events (family reunions, church functions, weddings, etc.), temporary 4-digit manual entry codes may be obtained from the office to facilitate entry into the development. In order to provide ample time for our staff to process your request, please contact the office at least three (3) business days prior to the date you wish to have the code activated. Temporary codes will be active only for the days requested and will cease to function after the time period expires.

**ARCHITECTURAL CONTROL REGULATIONS**  
**LINN VALLEY LAKES PROPERTY OWNERS ASSOCIATION**  
**REVISED OCTOBER, 2002**

The regulations are hereby established to clarify and supplement Article III, Restrictions, Covenants and Reservations, and Article VII, Architectural Control Committee, of the Declaration of Covenants and Restrictions.

**LOT REGULATIONS.** For the purpose of regulating lot development at Linn Valley Lakes, there are three types of lots designated:

1. **Building Lots.** These lots are restricted to permanent living structures (double-wide, modular homes, prefabricated or conventional built homes) with a minimum of 600 square feet of interior living space. All interior living area must be of solid frame construction and finished with exterior and interior walls, with access provided by conventional pedestrian size doors. Screened-in areas, such as porches, are not considered interior living area. A camper, mobile home, tent or recreational vehicle may be placed on a temporary basis only, provided it is used for camping purposes and occupied by the lot owner. No permanent water, sewage or electrical services may be connected to any vehicle or living structure with less than the minimum square footage of living area. All camping and recreational vehicles must be removed from the lot within 24-hours when not occupied by the owner.

In addition to the permanent living structure specified above, there shall be permitted accessory buildings such as garages, or storage sheds, provided they are not occupied as living areas and may not be located in front of the main dwelling. An accessory building shall be considered a living area if equipped with sleeping and/or cooking facilities.

2. **Mobile Home Lots.** These lots are designated as Multi-Purpose Lots and may be used for permanent living structures, including singlewide mobile homes, campers, tents and recreational vehicles. A permanent living structure must have a minimum of 500 square feet of interior living area. The same restrictions apply concerning accessory buildings that are set forth under Building Lot Regulations.
3. **Camping Lots.** These lots are designated as Multi-Purpose Lots and may be used for any type of living structure and recreational or camping vehicle, as specified under Building Lots and Mobile Home Lots. There is a 600 minimum square footage of interior living area required for permanent living structures. The same restrictions apply concerning accessory buildings that are set forth under Building Lot Regulations.

**GENERAL LOT RESTRICTIONS.**

These restrictions apply to all Building Lots, Mobile Home Lots and Camping Lots:

1. **Mobility and Pickup Camper Shells**

No recreational or camping vehicle may be placed on any lot that does not have wheels and tongue for towing. All recreational and camping vehicles must be mobile. Pickup campers that are removed from the truck and placed on the ground are prohibited, provided, however, all pickup campers that have been taken off the truck and placed on the ground on Mobile Home Lots and Camping Lots prior to August 19, 1989, are considered as an allowable use under a

Grandfather Clause approved by the Board of Directors. If a pickup camper allowed under the Grandfather Clause on a Mobile Home Lot or Camping Lot is removed, or if the lot is sold or given to another owner, the Grandfather Clause is no longer applicable, and is no longer considered an allowable use.

2. Storage of Motor Vehicles/Inoperable Motor Vehicles

No lots may be used for storage of motor vehicles unless the lot is occupied by a permanent residence or in temporary use as a Camping Lot. No Inoperable and/or Unlicensed motor vehicles may be stored on any type of lot.

3. Separate Bathroom Facilities

No separate bathroom facilities may be constructed on any type of lot. No outside toilets shall be allowed.

4. Number of Living Units on a Lot

Only one living unit, camper or dwelling shall be allowed on a lot. A living unit or dwelling shall be defined as having one kitchen. No more than one RV or trailer shall be placed permanently on a Mobile Home or Camping Lot. Additional units may be placed on a lot temporarily for camping purposes, but must be removed when not occupied. The Architectural Committee must approve placement of any type of RV unit or trailer permanently on a lot.

5. Sign Regulations

The only sign allowed on any type of lot is an identification sign not exceeding two (2) square feet in area which identifies the lot owner, owners home town and lot number. This sign is allowed as a convenience for identification purposes for the lot owner and the Property Owners Association. No other type of sign may be placed or maintained on any lot, nor on or within any building or vehicle, except in an area approved for commercial use.

6. Dilapidated Structure

Notices shall be sent to owners of dilapidated structures in accordance with Article III, paragraph (e) of the Declaration of Covenants and Restrictions. For the purpose of this regulation, dilapidated structures shall include dwelling, accessory buildings, RV's, camping trailers and boats.

7. Unsightly Appearance

No debris, junk or unsightly accumulation of materials of any type shall be allowed to remain on premises. All materials for the construction of any structure shall be new. All unattached out-buildings shall be in the rear of the dwelling house and shall be sightly and of a character to enhance the value of the property.

8. Easements and Right-of Way

The Association shall have an easement and right-of-way over a strip along the sides, front and rear boundary lines of all lots not exceeding 10 feet, for the purpose of installation of public

utilities, including, but not limited to gas, water, electricity, telephone, drainage and sewage and any appurtenance to the supply lines therefore, including the right to remove and/or trim trees, shrubs or plants. In addition to the 10 feet easement, there shall be an additional 15-foot setback from the front boundary line in which no permanent structure may be built, with the exception of water and sewage holding tanks.

9. Lake Front Easement

The Association shall have an easement and right-of-way over a strip of land all around the lakes from the property owner's rear lot line of each lot to the water's edge. Such easement shall extend the right of use to all Members, as well as their family unit and guests, but shall not entitle them to the use of any docks, boats or other personal property of the Owner.

**CONSTRUCTION AND/OR LOT IMPROVEMENTS.**

The following steps are to be taken by property owners and/or contractors before any type of construction begins:

1. Building Permits

A building permit must be obtained from the City of Linn Valley and be submitted to the POA Architectural Control Committee for its approval, as well as City approval, prior to the beginning of any type of permanent lot improvement or construction begins. This shall include, but not limited to, fences, storage sheds, garages, driveways, culverts, holding tanks or dwellings. The Owner and Contractor shall sign the building permit application certifying that both understand the City requirements and the POA regulations.

2. Lot Corner Pins

It is the Owner's and/or Contractor's responsibility to have a licensed, professional surveyor locate the lot corner pins and flag or stake them. The surveyor must provide written notice, upon completion of the staking, to the POA or City office. The proposed building or improvement shall be staked out on the lot after the corner pins are staked. When all staking is completed, the owner, or contractor, shall halt all construction activities and contact the Building Inspector for a staking inspection. It is the responsibility of the property owner to protect the corner lot survey pins.

3. Water and Sewage Holding Tanks

Any trailer, mobile home, dwelling of other structure considered a dwelling that is intended to remain on the site shall have a minimum 1,500-gallon sewage holding tank. Sewage holding tanks shall be required any time a travel trailer has its wheels removed, skirting placed around it, or a deck or patio constructed around it. When a water holding tank is installed, it must also be inspected prior to installation and must also be a minimum of 1,500-gallon capacity. It is recommended that 4 feet of undisturbed ground or compacted fill be between the water and sewage holding tanks where possible. Each property owner has the responsibility to place the water and sewage holding tanks in a location adjacent to the driveway that is within or less than 20 feet of where the truck must be parked.

4. Corrugated Plastic Pipe for Culverts

The use of corrugated polyethylene pipe for driveway culverts shall be allowed provided it is installed according to approved specifications.

5. Singlewide, Doublewide and Modular Homes

All singlewide, doublewide and modular homes placed on lots after April 15, 1995, shall have a solid foundation which shall be poured concrete, concrete block or rock held together with concrete mortar. Skirting will not be allowed.

6. Violation Notices

When a violation is observed, the City Codes Supervisor shall be notified and he shall complete a violation notice form to be given to the owner and/or contractor immediately. The notice shall direct the violator to cease operations immediately until the violation can be corrected or resolved. In addition, the POA will send a Linn Valley Lakes POA violations notice if it is a violation of POA regulations.

If construction continues after a POA violation notice is issued, the POA Attorney will be notified and legal action will be initiated against the property owner and/or contractor. When a contractor continues work after a violation notice is issued, the matter will be placed on the agenda of the next Board of Directors meeting. If found guilty, the contractor shall be barred from contractual activities on POA property for one-year.

## **POLICIES OF OWNERSHIP AND CONSTRUCTION OF DOCKS**

Revised and Adopted November 17, 2007

1. The Board of Directors has authority to determine when a boat dock does not meet specifications as established for Linn Valley Lakes and has the right to request and proceed with removal of said dock.
2. The construction of any dock must be initiated by the owner with a building permit application. The Architectural Control Committee must give final approval before construction can begin. If such request does not meet with all specifications as approved by the Board of Directors, the building permit application will be denied.
3. Only those owners of lake property have the right to construct boat docks on the lake. It is the owner's responsibility to keep docks in acceptable conditions at all times.
4. Common use boat docks will be established for property owners at the park areas around the lake. There will be a minimum of one dock on each side of the lake.
5. All docks must be permanently anchored to the shore in such a manner that they will not break loose. The construction on common property will only be what is necessary to anchor the dock. This will not include any building, but may allow some wall construction.

6. All docks must have a minimum of 120 square feet and a maximum of 450 square feet of surface. The minimum will avoid the construction of small platforms that will not build pride in ownership. The maximum will limit the possibility of putting up a dock larger than the owners house. The maximum would allow for a boat slip plus an area for diving and relaxation. Regardless of the dock size, no structure may extend into the lake more than 24 feet.
7. The docks are for just that. No structures are to be built more than 30 inches above the surface of the dock. This eliminates boathouses but would allow storage bunks.
8. Boat lifts are acceptable but may not be covered.
9. All material for building the docks and bunks must be of treated material and/or steel. Decking material to be treated wood material, composite material, lay in concrete tiles, or an approved alternate material.
10. Acceptable method of flotation is polyethylene tubs filled with polystyrene.
11. Power to any dock must be GFI (ground fault interrupter) protected and installed in conduit underground.
12. Boat docks must be identified with the property owners lot number using a minimum size, 3-inch numbers. The numbers must be placed on the lake side of the dock.
13. No private docks are to be built or placed on the 5-acre lake or smaller bodies of water.
14. Minimum size for docks on the 10-acre and 7-acre lakes to be 64 square feet. Maximum size not to exceed 120 square feet.
15. Docks cannot exceed more than 50% of lake frontage in width (e.g. 70' wide lot-35' wide dock maximum). All docks must be attached to their respective shoreline at the center line of the property, unless otherwise approved by the Board of Directors.

## EASEMENTS

The flowage easements discussed below may affect building plans for the lots. However, each lot is large enough to accommodate a residence despite these easements.

A flowage easement extends to ten feet in elevation above any water impoundment. The flowage easement provides for drainage and flood control. The lots to be affected by the easement around the four lakes are:

### LAKE

10-Acre Lake

### AFFECTED LOTS

257 – 288 inclusive  
 472 – 478 inclusive  
 486 – 488 inclusive  
 491 – 495 inclusive  
 498 – 505 inclusive  
 510 – 521 inclusive

5-Acre Lake	185 – 227 inclusive
7-Acre Lake	2108 – 2113 inclusive 2115 – 2118 inclusive 2120 – 2122 inclusive 2622 – 2623 inclusive 2632 – 2635 inclusive 2648 – 2649 inclusive 2658 – 2662 inclusive 2679 – 2680 inclusive 2696 – 2699 inclusive 2727 – 2728 inclusive
120-Acre Lake	1794 – 1816 inclusive 1850 – 1913 inclusive 1856 – 1957 inclusive 2059 – 2066 inclusive 2068 – 2072 inclusive 2091 – 2103 inclusive 2267 – 2305 inclusive 2314 – 2327 inclusive 2359 – 2411 inclusive

## **PLATS, ZONING, SURVEYING, PERMITS AND ENVIRONMENT**

### **PLATS:**

All lots currently offered by the Linn Valley Lakes Property Owners Association have been platted and approved by the Linn County Board of Commissioners. The plat maps are recorded with the Register of Deeds office in Mound City, Kansas.

### **ZONING:**

The lots at Linn Valley Lakes are to be used for residential and camping purposes. This conforms to the Restrictions and Covenants and the City of Linn Valley Zoning Ordinances.

### **SURVEYING:**

All lots have been surveyed.

### **PERMITS:**

The Restrictions and Covenants require that a property owner obtain prior approval from the Architectural Control Committee of the Property Owners Association before building on a lot. Property owners must also obtain a building permit from the City of Linn Valley before beginning construction on a lot.

### ENVIRONMENT:

No environmental study has been prepared. No determination has been made as to the possible adverse effects the subdivision may have upon the environment and surrounding area.

### FLOODING AND SOIL EROSION:

The Property Owners Association does not have a comprehensive plan to control soil erosion. Soil erosion could result in property damage and create a possible safety and health hazard.

### NUISANCES:

The subdivision may be affected by odors and pollution from the Kansas City Power and Light Company plant located about 3 miles from the subdivision. The Property Owners Association is unaware of any other land uses, which may adversely affect the property owner's lot.

### HAZARDS:

The Property Owners Association is unaware of any unusual safety factors that affect the subdivision. The Property Owners Association is unaware of any existing or possible future hazards. The area has been subject to severe thunderstorms and tornado conditions especially during late spring and early summer. The area is subject to brushfire, lightning and wind damage. In case of severe weather in the area, the Clubhouse will be open for shelter.

## ROADS

### ACCESS TO THE SUBDIVISION:

Public roads provide access to the subdivision. U.S. 69 is the major access road. It has a macadam surface and varies between 4-lane and 2-lanes. The width of the wearing surface is 24 feet. There are two exits with a 24-foot surface that provides access from U.S. 69 to Linn Valley Lakes. 399<sup>th</sup> Street exit is approximately 2 miles north of Linn Valley Lakes. Travel ½ mile west from the exit to Jingo Road. Turn south on Jingo Road and travel approximately 2 miles to the entrance. Jingo Road becomes Ullery Road at the Linn County Line. Highway 152 exit (LaCygne exit) is approximately 2 miles south of Linn Valley Lakes. Travel approximately one-mile west to Ullery Road and turn north to the entrance.

The State of Kansas is responsible for the maintenance of U.S. 69. Linn County is responsible for the maintenance of the county road. The property owners are not responsible for any of these costs.

### ACCESS WITHIN THE SUBDIVISION:

Roads with a 50-foot right-of-way provide access from the subdivision entrance to the lots with a 20-foot travel surface on all interior roads. Interior roads have 2 lanes and the construction is complete. The main five-mile road, Timber Valley Drive, and Lakeview Lane consist of a chip and seal surface with the remainder of the internal roads being gravel and/or crushed rock. Private roads that are dedicated provide legal access to the lots for the private use of property owners and their guests. The

Property Owners Association owns the interior roads and the Property Owners Association is responsible for maintenance of these roads. The roads provide access to all lots on a year-round basis. The table below identifies the distance in miles from the center of the subdivision to nearby communities:

<u>Community</u>	<u>Population</u>	<u>Distance</u>
Pleasanton, KS	1,216	16.0 miles
LaCygne, KS	989	7.5 miles
Mound City, KS (County Seat)	714	24.0 miles
Kansas City, MO	507,330	48.5 miles
Fort Scott, KS	8,967	39.0 miles

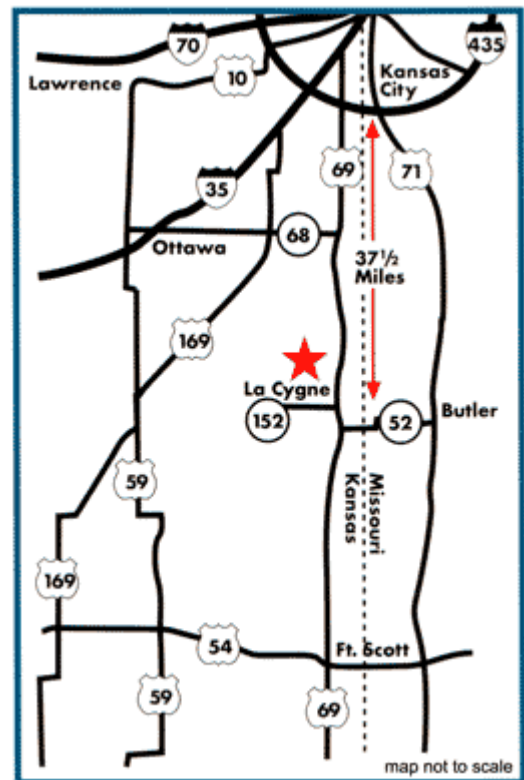
### DIRECTIONS

**From Kansas City:** From 435, take Highway 69 south to the 399<sup>th</sup> Street exit and go west ½-mile to Jingo Road. Turn south at the stop sign. At the Linn County Line, Jingo Road becomes Ullery Road. Continue south to the Linn Valley Lakes entrance.

**From Fort Scott:** Take Highway 69 north to the Junction of Highways 69 and 152 (LaCygne, KS exit). Take 152 west approximately one-mile to Ullery Road and turn north to the Linn Valley Lakes entrance (approximately two-miles).

**From Ottawa:** Take Highway 68 east to Highway 69. Proceed south approximately 15 miles to the 399<sup>th</sup> Street exit and go west ½-mile to Jingo Road. Turn south at the stop sign. At the Linn County Line, Jingo Road becomes Ullery Road. Continue south to the Linn Valley Lakes entrance.

**From Butler:** Take Highway 52 west to Highway 69. Take Highway 69 north to the Junction of Highways 69 and 152 (LaCygne, KS exit). Take 152 west approximately one-mile to Ullery Road and turn north to the Linn Valley Lakes entrance (approximately two-miles).



## UTILITIES

1. Water – There is a 4-inch line on the property, which extends from the old highway 69, west to the main Clubhouse. The line enters the property north of the security gate and goes to Bathhouse #2, and then to the Clubhouse. Linn County Rural Water District #1 provides the water. Property owners along this water line may obtain water service. The costs include all of the line installation necessary to connect to the existing line. There is a meter fee to the Rural Water District.

Linn Valley Lakes has their own water plant, which complies with all the specifications and testing controls of the Kansas State Department of Health and Environment. The water plant also has a water line that runs along Ridgewood Drive, North Linn Valley Drive, and Lakeview Lane west of the Clubhouse on the north side of the main lake, and along Mystic Valley Drive, Fascination Lane and South Linn Valley Drive on the south side of the main lake. The cost for a Linn Valley Lakes water meter is \$1,000. The property owner is responsible for the water line installation.

The Property Owners Association provides water delivery service to property owners by tank truck for a fee. Water is delivered in 1,000-gallon and 2,000-gallon loads. The water will be delivered to a water tank provided by the property owner. The water tank must be a minimum of 1,500-gallon capacity and must be approved by the Property Owners Association Architectural Committee and the City of Linn Valley Building Inspector prior to inspection. Each property owner has the responsibility to place the water and sewage holding tanks in a location adjacent to the driveway that is within or less than 20 feet of where the truck must be parked.

The Property Owners Association also provides a coin-operated bulk water fill station for the convenience of property owners that wish to haul their own water.

2. Sewage – There is no central sewage collection and disposal system on the property. The Property Owners Association provides sewage collection service by tank truck to property owners for a fee. Sewage will be collected in 1,000-gallon and 2,000-gallon loads from sewage holding tanks provided by the property owner. The sewage-holding tank must be a minimum of 1,500 gallon capacity and must be approved by the Property Owners Association Architectural Committee and the City of Linn Valley Building Inspector prior to inspection. Each property owner has the responsibility to place the water and sewage holding tanks in a location adjacent to the driveway that is within or less than 20 feet of where the truck must be parked.
3. Refuse – Property owners are responsible for depositing their refuse in the trash compactor that is located south of the front gate. Property owners are not allowed to dispose of brush, tires, large appliances, and construction materials in the compactor. These items may be taken to the Linn County Landfill near Prescott, Kansas. The trash compactor is available for property owners of Linn Valley Lakes and residents of the City of Linn Valley. There is also a recycling bin available at that location for glass, paper, and plastic bottles. **NO PLASTIC BAGS OR CARDBOARD ARE TO GO IN THE RECYCLE BIN.**

4. Electricity – Electrical service is provided by Kansas City Power & Light. The electric service extension policies and fees vary depending upon the type of service requested: Mobile Home, Camper or Dwelling. KCPL requires an approval from the Property Owners Association Architectural Committee and the City of Linn Valley Building Inspector prior to installation.
5. Telephone – Peoples Telecommunication LLC, LaCygne, Kansas supply Telephone service. You do not need prior approval for telephone service. Peoples also provides Internet Service including high speed (DSL) access.
6. Television – There is no cable television service available.
7. Natural Gas – There is no natural gas service available.

### **LOCAL SERVICES**

1. Fire Protection – Fire protection is available from Linn County Rural Fire Department, LaCygne, Kansas. The City of Linn Valley Volunteer Fire Department is the first response service until the County rural fire department is on the scene.
2. Police Protection – Police protection is available from the City of Linn Valley Police Department and the Linn County Sheriff's Office. Dial 911 in case of an emergency.
3. Schools – Elementary school, grades K – 5, are available in LaCygne, Kansas, as well as, secondary schools, grades 6 – 12, at Prairie View Middle and High School west of LaCygne. School bus transportation from Linn Valley Lakes to these schools is available.
4. Health Care – There is a doctor's office, dentist's office, and a pharmacy located in LaCygne, Kansas. American Medical Response is also located in LaCygne and Life Net service is available to Linn Valley Lakes.
5. Hospitals – The closest hospital facilities are Mercy Hospital in Fort Scott, Miami County Medical Center in Paola and St. Luke's South in Overland Park, all in Kansas, and Bates County Memorial Hospital in Butler, Missouri.
6. Shopping Facilities – Shopping facilities are available in LaCygne, Kansas.
7. Mail Service – There is mail service to boxes located at the entrance of the development for residents. The property owner must make arrangements at the Post Office in LaCygne, Kansas for such service.
8. Public Transportation – There is no public transportation available at Linn Valley Lakes.

### **AMENITIES**

The Property Owners Association owns and operates the following amenities for the use and enjoyment of all property owners and their guests:

1. Golf Course – Linn Valley Lakes Deer Trace Golf Course is an 18-hole course. The course is equipped with a driving range. The Pro Shop has food service and golf supplies. Property owners may use the course by paying daily greens fees, or by purchasing an annual membership. Guests may play the course, accompanied by a property owner, by paying a daily guest fee.
2. Clubhouse - Bingo is held in the Clubhouse basement every Saturday evening at 5:00 PM. The Clubhouse is available for rent by property owners. Reservations must be made in advance for activities.
3. Community Center – The Community Center is located near the front entrance. The Property Owners Association office is located at the Community Center. The office is open Monday through Saturday, 8:30 am – 5:00 pm. There is an exercise room located in the rear of the building. Keys to the exercise room may be checked out at the POA Office. The Community Center is available for rent by property owners. Reservations must be made in advance for activities. There is also a Laundromat on the west side of the building that is available for property owners and their guests.
4. Swimming Pools – There are two swimming pools, plus a wading pool for younger children, on the development. A large pool and wading pool are located at the main Clubhouse, and a small pool is located by the Community Center. The pools are open from Memorial Weekend through Labor Day Weekend.
5. Miniature Golf Course – A miniature golf course is located near the front entrance. The course is available for play by property owners and guests. Balls and clubs may be checked out at the POA Office during business hours and Guard Shack when manned.
6. Fishing – There are ten lakes on the development. There is one large lake, three medium sized lakes, and six small lakes that are all stocked with fish. One lake near the front entrance is reserved for children ten years of age or younger. There are public access ways and easements around the lakes and ponds for public use. A Kansas Fishing License is not required to fish at Linn Valley Lakes.
7. Basketball Court – There is a basketball court located behind the Clubhouse east of the large swimming pool.
8. Tennis Court – There is a tennis court located west of the miniature golf course near the front entrance.
9. Camping – A campground is available for property owners and their guests. It is located south of the intersection of Linn Valley Blvd, North Linn Valley Drive, and South Linn Valley Drive. There is a daily fee of \$7.00 for property owners if you are parked in a space with utility hookups. Extended stay for Property Owners – 14-days \$90.00, 30-days \$190.00, and 90-days \$550.00. Fees for Guests – Daily \$15.00, 14-days \$200.00, and 30-days \$400.00. The campground's utilities have recently been upgraded. The east end of the campground contains both 30-amp and 50-amp service. The west end of the campground contains only 30-amp service.
10. Bath Houses – There are three (3) public bathhouses on the property. Bathhouse # 1 is located on the north side of the Community Center. Bathhouse #2 is located on North Linn Valley Drive, midway between the front entrance and the Clubhouse. Bathhouse # 5 is located in the south campground. There are also facilities available in the lower level of the Main Clubhouse between Memorial Weekend and Labor Day Weekend.
11. Swim Beach – There is a swim beach located south of the main Clubhouse. The beach has a roped-off swimming area.

12. Sand Volleyball Court – There is a sand volleyball court located south of the main Clubhouse behind the swimming pool.
13. Horse Shoes – There are horseshoe pits located south of the main pool at the Clubhouse and south of the miniature golf course. Property owners may check out horseshoes at the POA office in the Community Center.
14. Shuffleboard – There are two outdoor shuffleboard courts located east of the main pool at the Clubhouse.
15. Frisbee Golf – There is a 9-hole Frisbee Golf Course located at the front entrance area. The course begins by the Shelter House. Bring your own Frisbee or Property owners may check out Frisbees at the POA office in the Community Center.

## **Linn Valley Lakes Deer Trace Golf Course 2009 Golf Fees**

Call 913-757-4597 for Saturday, Sunday, and Holiday Tee Times  
During Daylight Savings Time (48 Hours in Advance)

ANNUAL FEE – Must be paid by March 1, 2009:

Individual Membership	\$330.00
Family Membership	\$440.00
Child/Grandchild of Member Membership – Ages 10-18	\$ 50.00

### **DAILY GREENS FEE:**

Property Owner	\$ 15.00
Guest	\$ 20.00
Child/Grandchild of Member	\$ 5.00
Prairie View High School Golf Team Member	\$ 2.00

(February – May, Monday – Friday)

Twilite Rates: April 1 – October 1 – Monday-Friday – 4:00 PM-Close - ½ Price Greens Fee

### **GOLF CART RENTAL FEE:**

Nine Holes	\$ 12.00
½ Cart – 9-Holes	\$ 7.00
Eighteen Holes	\$ 20.00
½ Cart – 18-Holes	\$ 12.00
Pull Cart Rental	\$ 2.00
10 – ½-Cart Rental – 18-Holes – Discount Card(1 person per card)	\$100.00

### **PRIVATE GOLF CART FEES:**

Annual Trail Fee – Must be paid by March 1, 2009	\$165.00
Daily Trail Fee	\$ 10.00

### **FREQUENT PLAYER CARDS (Property Owners Only):**

Golf Card -	10-day	\$ 120.00
	20-day	\$ 210.00
	30-day	\$ 270.00
Private Cart Trail Fee -	10-day	\$ 80.00
	20-day	\$140.00
	30-day	\$180.00
POA Cart Rental -	10-rounds	\$160.00
	20-rounds	\$280.00

	30-rounds	\$360.00
<b>DRIVING RANGE:</b>		
Driving Range Token		\$ 2.50
Twenty-Four Bucket Discount Card		\$ 50.00
Thirty-Six Bucket Discount Card		\$ 60.00

### **CURRENT ANNUAL ASSESSMENTS**

The 2009 annual assessments are \$337.00 and are used for maintenance operations and upkeep of all facilities. The amount of annual assessment is subject to change by action of the Board of Directors, or by vote of the membership.

The annual assessment may be paid monthly, but for record keeping convenience all property owners are encouraged to pay semi-annually or annually. The maintenance assessments are billed on a calendar year basis in January each year.

### **LINN VALLEY LAKES PROPERTY OWNERS ASSOCIATION**

#### **Assessment Policy Adopted March 18, 2006**

A property owner's assessments must remain current for all of the lots they own:

- A. To serve on the Board of Directors.
- B. To serve on a Standing Committee.
- C. To be employed by the Property Owners Association.
- D. To receive water and sewage service.
- E. To use the amenities.
- F. To gain access to the development with a gate pass.

### **MAINTENANCE ASSESSMENT POLICY**

#### **Adopted September 2006**

Maintenance assessment statements shall be mailed twice a year, in December and in June. The December statement is due January 1 and is past-due February 1. The June statement is due July 1 and is past-due August 1.

If not paid within 30 days after the past-due date, a 0.5% per month interest charge will be assessed. Any account that is 60 days past due may be turned over for collection. Fees charged by the collection agency will be added to the amount owed the association for assessments. Any account that is one-year past due may be subject to foreclosure litigation.

Property owners may pay their assessments 1) annually (recommended), 2) semi-annually, or 3) monthly.

## **SUBDIVISION CHARACTERISTICS AND CLIMATE**

In this section we will describe the basic terrain if the subdivision, its climate and any nuisances or hazards in this area.

### **GENERAL TOPOGRAPHY:**

Generally, the subdivision is situated on level to gently rolling land surrounding a valley created by a small stream. The subdivision is covered with hard and soft wood trees. Soil is high in clay content and topsoil is relatively shallow. Approximately 10% of the land is natural open space. None of this land will be improved or developed. There are no steep slopes, rock outcroppings, unstable or expansive soil conditions that will necessitate the use of special construction techniques to build on or use any lot in the subdivision.

The following lots have slopes of 20% or more and may require special building techniques:

1258-1260, 1267-1275, 1350-1352, 1412-1414, 1469-1470, 1557-1571, 1582-1592, 1606-1623, 1640-1685, 1718-1735, 1742-1743, 1794-1807, 1903-1921, 2089, 2094-2097, 2178, 2267-2290, 2300-2317, 2384-2414, 2551, 2622-2634, 2645-2646, 2649, 2680-2686, 2692-2700, 2731, 2733-2735, 2744-2745, 2824-2827, 2831-2832, 2860, 2905-2908, 2917-2919, 2923-2924, 2930-2935, 2975-2976, 4880, 4882-4884, 4954-4956, 4960-4965, 5018-5027, 5055-5056, 5058, 5062-5065, 5067-5070, 5072-5074, 5096-5097, 5103-5105, 5107, 5109, 5114-5115, 5118, 5124-5149, and 5159-5162.

On these lots, a concrete pad and wooden pilings may be necessary if a full basement is not poured.

### **WATER COVERAGE:**

None of these lots in this subdivision are covered by water at any time during the year.

The average annual rainfall is 30.07 inches. Average annual snowfall is 20.0 inches.

<u>SEASON</u>	<u>HIGH</u>	<u>LOW</u>	<u>MEAN</u>
Summer	107 F	12 F	69 F
Winter	98 F	-13 F	43 F

### **DRAINAGE AND FILL:**

Due to the hilly terrain of the subdivision, all lots may require fill to make them suitable for construction of a one-story residential structure.

### **FLOOD PLAIN:**

The subdivision is not located within a flood plain or an area designated as being flood prone.

## **LOT LISTING FOR THE ENTIRE DEVELOPMENT**

Lots 1 THROUGH 943, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24 E., Linn County, Kansas, according to the recorded plat thereof, recorded on November 27, 1978, with the Register of Deeds.

LOTS 944 THROUGH 2122, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24 E., Linn County, Kansas, according to the recorded plat thereof, recorded on January 21, 1980, with the Register of Deeds.

LOTS 1744a, 1745a, 1745b, and 1746a, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24E., Linn County, Kansas, according to the recorded plat thereof, recorded on January 21, 1980, with the Register of Deeds.

LOTS 2123 THROUGH 3051, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24E., Linn County, Kansas, according to the recorded plat thereof, recorded on February 23, 1981, with the Register of Deeds.

LOTS 3052 THROUGH 3307 and 3312 THROUGH 3126, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24E., Linn County, Kansas, according to the recorded plat thereof, recorded on March 15, 1982, with the Register of Deeds.

LOTS 3417 THROUGH 3997, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24E., Linn County, Kansas, according to the recorded plat thereof, recorded on January 24, 1983, with the Register of Deeds.

LOTS 3998 THROUGH 4387, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24E., Linn County, Kansas, according to the recorded plat thereof, recorded on January 23, 1984, with the Register of Deeds.

LOTS 4388 THROUGH 4665, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24E., Linn County, Kansas, according to the recorded plat thereof, recorded on July 30, 1984, with the Register of Deeds.

LOTS 4782 THROUGH 4794, 4816, 4817, 4844, 4845, 4851 THROUGH 4968, 4982, 5018 THROUGH 5031, AND 5051 THROUGH 5162, LINN VALLEY LAKES, a subdivision of part of Section 23, 24, 25, and 26, T. 19S., R. 24E., Linn County, Kansas, according to the recorded plat thereof, recorded on October 22, 1984 and November 15, 1985, with the Register of Deeds.

### **2009 LINN VALLEY LAKES PROPERTY OWNERS ASSOCIATION Boat and Personal Watercraft Rules & Regulations**

1. Only members and/or rental members who have paid all of their obligations to the Association may bring their boats and personal watercraft into Linn Valley Lakes and operate them on Linn Valley Lakes property. Boats and Personal Watercraft belonging to the guest of members may not be operated on the lakes.

2. State laws applying to ownership of boats and personal watercraft are applicable, and all boats shall carry U.S. Coast Guard approved life-saving equipment for each passenger.
3. All boats and personal watercraft are required to be registered with the Property Owners Association Office prior to being placed into the water. Identification numbers are required to be placed on both sides of the craft just below the gunnel, or as close thereto as possible. The identification numbers are to be issued by the POA Office when the craft is registered. Proof of ownership must be shown when registering the craft (bill of sale, tax receipt, etc.) Proof of horsepower must also be shown when registering the craft. Due to insurance requirements for the POA, all boats 16 feet and over and with an engine of 20 horsepower or over and all personal watercraft are required to have liability insurance and a copy of such must be on file in the POA Office.
4. Boats permitted on the main lake shall have not more than 160 horsepower nor be longer than 22 feet (not longer than 30 feet if a pontoon boat), and must have adequate exhaust and noise abatement systems. Boats permitted on the remaining smaller lakes are limited in size because of the lack of launch ramps at these lakes. Boats should be of the size that two people can hand carry the boat to the waters edge and a motor the size that one person can carry (i.e. an aluminum fishing boat with a 15 horsepower motor is acceptable).
5. Boat and personal watercraft traffic on the main lake is required to travel only in a counter-clockwise direction. Each craft owner is responsible for his crafts wake, as well as for the craft itself.
6. Fast moving boats, boats towing skiers, and all skiers and personal watercraft are required to stay at least 100 feet from the shore line and the docks except while launching and docking. Boats and personal watercraft shall proceed at idling speeds when approaching or leaving a docking area and to a point beyond the No Wake Buoys. All boats and personal watercraft must obey the No Wake Buoys located in the lake.
7. The operator of any craft exceeding 10 horsepower is required to be 16 years of age or older, or under the direct supervision of an adult in or on the craft.
8. Water skiing is permitted only from 9AM until sundown. While towing a skier, tube, aqua-board or object of any kind, it is required that there be a rear-facing observer at least 12 years of age in the boat in addition to the operator.
9. Boats are required to proceed at no more than 10 mph between sundown and 9:00AM. All boats are required to have appropriate running lights on when operating after dusk or before dawn.
10. Boats shall not be used for sleeping nor shall they have toilet facilities.
11. Reckless operation of boats and personal watercraft shall be the basis for the revocation of lake privileges. Sailboats, canoes, paddleboats, and rowboats always have the right-of-way.
12. NO swimming from boats in designated traffic flow areas. Swimming from boats is allowed in No Wake Coves.

13. Boats and personal watercraft shall only be docked, launched and stored at authorized places. All craft may be docked at the Association facilities only when they are in use. Storage of craft is at owners risk. Craft may be stored on the Association property only as outlined below. Any other docking or storage of craft at the Association facilities or property is a violation of this rule and the craft will be removed and stored by the Association at the owners' risk and expense.
  - A. Dry storage for boats and personal watercraft is available to members in the RV Storage area.
  - B. Boat and personal watercraft trailers, with or without craft, may be stored on Saturday, Sunday, and Holidays in the area across the road from the boat launch ramp on a space available basis without charge. They shall not be parked so as to block the ingress or egress to the Association boat ramps.

### **Special Personal Watercraft Regulations**

1. Personal watercraft may be operated on the main lake only.
2. Personal watercrafts are permitted Monday through Sunday, Noon until 6:00PM.
3. Personal watercraft must travel in a counter-clockwise direction. Operators must obey the posed buoys. Freestyle and stunts are limited within an area west of the Clubhouse designated by six (6) yellow buoys. This area is specifically set aside for personal watercraft.
4. Personal watercraft shall not be operated around the Association boat docks, swimming beach or around the buoys in the water.
5. Personal watercraft must stay at least 100 feet from the shoreline and private docks.
6. Following the wake of another craft with a personal watercraft is prohibited.
7. Personal watercraft must obey the No Wake Buoys located in the lake.

### **Boat Ramp**

1. Vehicles and trailers are to be parked in the boat area across the road north of the boat ramp on the main lake.
2. NO swimming, fishing or diving in the vicinity of the Boat Ramp or Dock.

### **WATER AND SEWER POLICY**

The Property Owners Association provides water and sewer hauling service to property owners on the development. The following fees are set at a rate that require the service to be operated in the most efficient and time saving manner.

Water or Sewage (Mon. through Fri)	\$20.00/1,000 gal.
Water or Sewage (Saturday 8:00 am-12:00 Noon)	\$25.00/1,000 gal.
Water Meter Charges	\$16.00 Minimum 1 <sup>st</sup> 1,500 gallons \$10.00 per each additional 1/000

Coin Operated water fill located on the corner of  
North Linn Valley Dr. and Lakeview Lane \$ 7.50/1000 gal.

It is therefore necessary to implement the following water and sewage hauling policies:

1. Water or Sewage ordered in 2,000 gallon deliveries, or pickup, shall be charged \$30.00 for the 2,000 gallon load. Saturday fee is \$35.00 for the 2,000 gallon load.
2. Payment and a #d ticket must accompany all water and/or sewage requests. Attach your check or money order to your ticket and deposit it in the drop box located by the mailboxes or the water fill station. If you are paying with cash, payment must be made at the office and your ticket will be stamped "paid". You should then deposit the ticket in either drop box. DO NOT PLACE CASH IN THE DROP BOXES. There is a mail slot at the front office door for cash payments.
3. When a water and sewage hauling ticket is submitted and service cannot be provided on the first attempt because of driveway blockage or any other reason, an extra fee of \$10.00 will be charged to customer.
4. There will be a load fee of \$25.00 per one thousand gallons and \$35.00 for two thousand gallons for all orders submitted for water and sewage hauling service on Saturday.
5. Water and sewage tickets will be picked up at the drop boxes at 8:00 am each day and every effort will be made to provide service the same day. Any tickets placed in the drop boxes after 8:00 am will be picked up the following day and service provided on that day. Special requests for water and/or sewage received after 8:00 am but before 3:00 PM, will be charged an extra service fee of \$10.00 per thousand gallons.
6. After Hours Water/Sewer Service Fees – Monday thru Friday after 3:00 pm-\$50.00 plus regular rates; Saturdays after 1:00 pm-\$50.00 plus Saturday rates; Sundays all day-\$50.00 plus Saturday rates. After Hours service is contingent upon availability of a truck driver.
7. Each property owner has the responsibility to place the water and sewage holding tanks in a location adjacent to the driveway that is within or less than 20 feet of where the truck must be parked.
8. Each property owner has the responsibility to have a driveway that is of sufficient width for access by the service truck and is free and clear of all obstructions such as steps, trees, walls, etc.
9. Each water tank shall have a proper sized opening to accommodate a three (3) inch hose and shall be properly vented to allow an unloading time of 1,000 gallons in ten (10) minutes or less. An additional charge of \$10.00 may apply if unloading time falls into the 20-30 minute or more range.

### **COMPACTOR RULES OF USAGE**

#### **FURNITURE**

Any furniture that will compact easily

#### **APPLIANCES**

NO large appliances are to be put in the Compactor. (Microwaves may be compacted.)

#### **DEAD ANIMALS**

Small pets will be accepted only if they are double bagged. Large animals are not accepted. Refer to National By-Products, Topeka, Ks. 1-800-332-0312

WOODS NO limbs, brush or leaves accepted in compactor. No grass cuttings or yard waste.

BUILDING MATERIALS **\*\*NOT ACCEPTABLE\*\*** This includes shingles, brick, sheetrock, plaster, blocks and wood products.

FLUIDS NO automotive or industrial oils, grease or antifreeze or paint are acceptable.

HAZARDOUSE WASTE NONE ACCEPTED.

TIRES NO tires accepted.  
 \*\*\*\*\*  
**ALL UNACCEPTABLE ITEMS AT THE COMPACTOR SHOULD BE TAKEN TO THE LINN COUNTY LANDFILL IN PRESCOTT, KANSAS 913-471-4631**  
 \*\*\*\*\*

**CITY OF LINN VALLEY  
 LINN VALLEY, KANSAS**

\*Linn Valley, Kansas was incorporated November 23, 1998

\*Prior to November 23, 1998, Linn Valley, Kansas was known as Linn Valley Lakes, host approximately 2400 acres of a private gated community consisting of 5,162 lots and 393 camping spaces.

\*At the time of incorporation, the population of Linn Valley was estimated to be 375. The current population is approximately 850. Linn Valley is classified as a 3<sup>rd</sup> Class City, employing a City Police Chief, a Full Time Officer, several Part Time Officers, a City Clerk, a City Judge, a Court Clerk, a Building Inspector, and a Codes Supervisor. The Linn Valley Volunteer Fire Department is also financed by the city.

\*City Hall is located at 22412 E 2400 Road, Linn Valley, Kansas 66040. Phone: 913-757-2926

The hours City Hall is open are:  
 Monday 8:30 – 4:00  
 Tuesday 8:30 – 1:00  
 Wednesday 8:30 –12:30 and 1:30-4:00