

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application Carl )  
Richard Mills d/b/a Carl R. Mills Water )  
Service for a Transfer of Assets to the ) **File No. WM-2020-0387**  
Carriage Oaks Estates Homeowners )  
Association )

Date: June 9, 2020

On June 1, 2020, Carl Richard Mills d/b/a Carl R. Mills Water Service (Applicant) filed an application with the Missouri Public Service Commission to gift the water system to Carriage Oaks Estates Homeowners Association. The Commission set a deadline of June 16, 2020 for intervention requests.

This is an amendment to my initial request to the PSC to gift the subdivision Water system to the Carriage Oaks Estates Homeowners Association (COEHOA). I am aware that there are certain State of Missouri regulations regarding the Association By-Laws that I will remedy. Therefore, pending permission by the PSC to allow the gift to the COEHOA, and approval by all members of the COEHOA for receipt of the gift, I will present to the COEHOA amendments to the current recorded Declarations as follows:

**Addition of a section to specifically address the Water System and its management:**

### Provisions for Carriage Oaks Estates Water System.

Note: This section only applies to those homeowners of Carriage Oaks Estates Homeowners Association that have agreed to and receive services from the subdivision Water System.

Section 1. Members. The Carriage Oaks Estate Homeowners Association shall designate management of its Water system solely to a group of Members (each a “*Member*”, collectively the “*Members*”). Members shall be comprised to include each person or entity owning property that agrees to receive water services and receives such services furnished by the Corporation when such services shall be available through the Corporation’s facilities and is located within the geographic area to be served by the Corporation’s water system.

Section 2. Membership Interest. Each owner of property that agrees to use the water service, and makes a connection within the geographic area to be served by the Corporation's water system, shall be entitled to one membership interest (a "*Membership Interest*") and one vote for the election of Directors (as defined herein). A Member may not have more than one Membership Interest. A separate Water class of votes is established for this purpose. These are separate and

distinct from the current two classes of votes for the developer and lot owners. Only members with this Water class of votes are entitled to vote on any Water matters.

Section 3. Membership Restrictions. Members shall be limited to the property owners located within the specific geographic area designated to be served by the Corporation. In the case of a Member that is a corporation, its agent, officer, or designee shall represent the customer as a Member. In the case of multiple owners, only one owner may vote and votes may not be divided into fractional interests.

Section 4. Geographic Service Area. The Geographic Service Area served by the Corporation is identified and attached hereto as Exhibit "A."

Section 5. Members' Rights. The Members shall have the right to vote for the election of Directors and to amend these bylaws or the articles of incorporation of the Corporation and shall have such other rights as required by Chapter 393.825 to 393.861 and Chapter 393.900 to 393.945 RSMo. Members may also be entitled to dividends or proceeds in liquidation. The Members shall have no authority, acting alone, to govern or bind the Corporation to any transaction. A Member's rights shall not be transferable. Membership in the Corporation shall cease when a Member is no longer a user of the services of the Corporation. New members shall be added as they become property owners within the geographic area served by the Corporation and agree to use services furnished by the Corporation.

Section 6. The Board of Directors, upon written request by a Member, shall provide to such Member a copy of any record the Corporation is required to maintain under the Missouri Non-Profit Act, Chapter 355, RSMo. The Member's request for records shall describe with reasonable particularity the record the Member desires to inspect. The Board of Directors shall have at least five business days, but no more than ten business days, to respond to Member's request. The Board of Directors shall also disclose to Members a list of equipment, land, easements, and all other assets or rights held by the Corporation upon written request. The following is a list of the equipment, land, easement, and assets currently held by the Corporation: Phase One Well Lot and the assets thereon (well, pumps, water storage tank, building) and the piping infrastructure to provide water service to each residential lot in Phase One (presently 31 lots).

(End)

I will comply in a similar fashion with State of Missouri regulations for the gifting of the Sewer system as well. Please advise if there is anything else you require.

Sincerely,



Carl R. Mills  
209 Falling Leaf Ct  
Branson West, MO 65737



EXHIBIT A

CARRIAGE OAKS ESTATES  
PHASE ONE  
Total = 10.36 Ac.

Mo. State Hwy. "DD"

Open Space

Lot 1 1.27 Ac.

Lot 2 1.12 Ac.

Lot 3 1.04 Ac.

Lot 4 1.06 Ac.

Lot 5 2.18 Ac.

Lot 6 1.16 Ac.

Lot 7 1.13 Ac.

Lot 8 1.28 Ac.

Turning Leaf Trail

1A 2A 3A 4A 5A 6A 7A 8A 9A 10A 11A 12A

1B 2B 3B 4B 5B 6B 7B 8B 9B 10B 11B 12B

1C 2C 3C 4C 5C 6C 7C 8C 9C 10C 11C 12C

1D 2D 3D 4D 5D 6D 7D 8D 9D 10D 11D 12D

Burning Leaf Trail

Proposed Road

Water Line

Sewer Line

Sewer Opt. Line

East Line Section 12

North Line Section 12

Water

Sewer

Sewer Opt.

WATER —  
SEWER —  
SEWER OPT. ---