

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

In the Matter of Lake Region Water and Sewer        )  
Company's Application to Implement a General        )       Case No. SR-2013-0459  
Increase in Water and Sewer Service                )

In the Matter of Lake Region Water and Sewer        )  
Company's Application to Implement a General        )       Case No. WR-2013-0461  
Increase in Water and Sewer Service                )

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the Affidavit of Timothy A. Gervy, a copy of which is attached hereto, was delivered to and served, via electronic mail, this 16<sup>th</sup> day of January, 2014 upon: Amy Moore at [Amy.Moore@psc.mo.gov](mailto:Amy.Moore@psc.mo.gov); and Christina Baker at [christina.baker@ded.mo.gov](mailto:christina.baker@ded.mo.gov).

Respectfully submitted,

/s/ Mark W. Comley

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Jefferson City, MO 65102-0537  
Tel: (573) 634-2266  
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Email:comleym@ncrpc.com

Attorneys for Lake Region Water and Sewer  
Company

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent via email, on this 16<sup>th</sup> day of January, 2014, to Amy Moore at [Amy.Moore@psc.mo.gov](mailto:Amy.Moore@psc.mo.gov) ; General Counsel's Office at [staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov); Christina Baker at [christina.baker@ded.mo.gov](mailto:christina.baker@ded.mo.gov), and Office of Public Counsel at [opc@ded.mo.gov](mailto:opc@ded.mo.gov).

/s/ Mark W. Comley

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**AFFIDAVIT OF RECORDS CUSTODIAN**

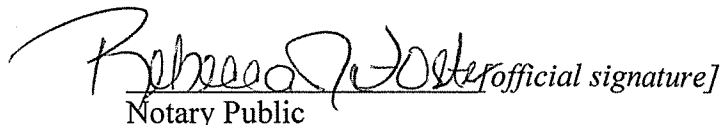
Before me, the undersigned authority, personally appeared TIMOTHY A. GERVY  
who, being by me duly sworn, deposed as follows:

My name is TIMOTHY A. GERVY. I am of sound mind, capable of making  
this affidavit, and personally acquainted with the facts herein stated:

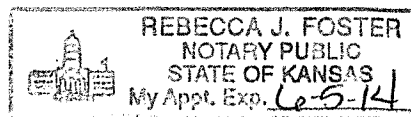
I am employed by Alterra Bank, 11120 W. 135th Street, Overland Park, Kansas (the Bank) as CHIEF CREDIT OFFICER and also have been appointed, and serve, as custodian of the records of the Bank. In this capacity I am familiar with the manner of record keeping maintained by the Bank with respect to its commercial loans and in particular Loan Number 7016782. Attached hereto is a Release of Negative Pledge Agreement (the Release), a record maintained by the Bank with respect to Loan Number 7016782. This record is kept by the Bank in the regular course of its business, and it was the normal and regular course of business of the Bank for an employee or representative of the Bank with knowledge of the Release to make the record thereof to be included in the records of the Bank: and the Release was made of record at or near the time of its execution. The Release attached hereto is an exact duplicate of the original.

  
Affiant

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my official  
seal this 15<sup>th</sup> day of January, 2014.

  
Notary Public

[seal]



## RELEASE OF NEGATIVE PLEDGE AGREEMENT

Principal	Loan Date	Maturity	Loan No.	Call/Call	Account	Officer	Initials
\$2,850,000.00	08/10/2011	08/10/2014	7018782			KRB	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item. Any item above containing \*\*\*\*\* has been omitted due to text length limitations.

**Borrower:** RPS PROPERTIES LP  
SALLY J STUMP  
10777 BARKLEY SUITE 210  
OVERLAND PARK, KS 66211

**Lender:** Alterra Bank  
Overland Park  
11120 W. 135<sup>th</sup> Street  
Overland Park, KS 66221-9731  
(913) 681-2223

This RELEASE OF NEGATIVE PLEDGE AGREEMENT ("Release") effective January 1, 2014, notwithstanding the date(s) executed by the parties below, is made and executed between RPS PROPERTIES LP and SALLY J STUMP ("Borrower") and Alterra Bank ("Lender"). Borrower executed a NEGATIVE PLEDGE AGREEMENT on August 10, 2011 in connection with commercial loan(s) obtained from Lender. Borrower and Lender have agreed to terminate the NEGATIVE PLEDGE AGREEMENT.

Now THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by Lender, the NEGATIVE PLEDGE AGREEMENT dated August 10, 2011 made and executed by the Parties is hereby terminated. Lender releases and forever discharges Borrower from any and all manner of obligation, duty or responsibility arising under the NEGATIVE PLEDGE AGREEMENT.

**Capitalized Terms.** The capitalized words and terms in this Release shall have the meanings set forth herein and/or in the NEGATIVE PLEDGE AGREEMENT.

**No Effect on Indebtedness.** The Loan, the Note, the Collateral and overall, the Indebtedness, are not affected by this Release and remain in full force and effect.

**Successors and Assigns.** The covenants and agreements set forth in this Release shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties.

**BORROWER:**

RPS PROPERTIES LP

Schwermann Properties Ltd.,  
General Partner of RPS Properties LP

BY:

  
ROBERT P. SCHWERMANN, PRESIDENT OF  
SCHWERMANN PROPERTIES LTD

  
SALLY J STUMP individually

Date:

01/01/2014

**LENDER:**

ALTERRA BANK

BY:

  
Authorized signer

Date:

01/01/2014