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MEMORANDUM

TO: Bruce Smith
CC: Trailer Estates Board of Trustees
TJ Miller, Office Manager
THRU: Mark P. Barnebey, Esquire *SR for MAPS 10/19/07*
FROM: Scott E. Rudacille, Esquire *SR 10/19/07*
RE: Deed Restrictions/Lawn Trimming Fee
DATE: October 19, 2007

A question has been raised as to whether the current charge of \$60 for maintenance lawn trimming is in compliance with Section 7 of the amended Deed Restrictions. The issue of compliance with the deed restrictions is a matter of determining the actual cost to the District in performing the maintenance, then adding 25% of that cost to cover administrative expenses. For example, if it cost the District \$20 to have the lawn mowed, the deed restrictions authorize the District to charge the property owner \$25, in order to cover the administrative cost.

However, in reviewing this issue, we think there is a question as to whether the District is authorized to enter private property to mow lawns and to charge the property owners for such cost. If the Board would like us to make a recommendation on this issue, please let us know.

If you have any questions or wish to discuss this further, please do not hesitate to contact us.

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