

BILL #2025-09-24-01

ORDINANCE #2025-09-24-01

**“AN ORDINANCE OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF LOCH LLOYD, MISSOURI, APPROVING
A MAINTENANCE AGREEMENT WITH S9-REDEV, LLC”**

WHEREAS, the Village of Loch Lloyd, Missouri (the “Village”) approved a Preliminary Plat and infrastructure construction plans submitted by S9-Redev, LLC (“S9”) for the Sechrest at Loch Lloyd during its meeting on September 16, 2025; and

WHEREAS, the approval of the Preliminary Plat was conditioned upon acceptance and execution of a Maintenance Agreement for the continued maintenance of the areas (the “Remaining Greenspace and Center Cut”) that are not residentially developed with the Sechrest at Loch Lloyd; and

WHEREAS, the approval of a Development Agreement executed in conjunction with the rezoning of the Sechrest at Loch Lloyd properties also mandated a Maintenance Agreement between the Village and the S9 for the maintenance of the Remaining Greenspace and Center Cut; and

WHEREAS, the Village and S9 have prepared a comprehensive Maintenance Agreement for approval and recordation providing for the perpetual maintenance of the Remaining Greenspace and Center Cut.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI, AS FOLLOWS:

- SECTION 1.** The Maintenance Agreement imposed as a requirement on S9 by the Development Agreement and as a condition of approval for the Preliminary Plat is hereby approved.
- SECTION 2.** The Chairman of the Board of Trustees and the Village Clerk are hereby authorized and instructed to execute said Maintenance Agreement on behalf of the Village.
- SECTION 3.** The Chairman of the Board of Trustees and the Village Clerk are hereby authorized and instructed to take all further steps necessary and appropriate to formalize the Maintenance Agreement obligations, including the recordation of the same with the Cass County Recorder of Deeds.
- SECTION 4.** The effective date of this Resolution shall be coincidental with the Chairman of the Board’s signature and attestation by the Village Clerk.
- SECTION 5.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct, and

independent provision, and such holding shall not affect the validity of the remaining portions thereof.

DULY READ THE FIRST TIME THIS 24TH DAY OF SEPTEMBER, 2025.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 24TH DAY OF SEPTEMBER, 2025, BY THE FOLLOWING VOTE:

**Trustee Lafata
Trustee Murphy
Trustee Worstell-Benjamin
Trustee Elsberry
Chairman Etherington**

APPROVE:

Chuck Etherington
Chairperson

Date of Signature

ATTEST:

Anthony Lafata
Village Clerk