

Lake Lotawana Association, Inc.
10417 E. Thompson Road
Lake Lotawana, Missouri 64086-9705
816-578-4272

PROCEDURE FOR WAIVERS

1. Any sale, contract to sell, or conveyance of Real Estate within the Lake Lotawana Association boundaries requires that a waiver be submitted to the Association “and to the owners of the two side adjoining lots.” The Association should receive the waiver on the same date as the adjoining lots as well as receive copies when the adjoining lot owners have signed the waiver.
2. If there is a platted pathway adjoining the property, sellers are recommended, in an abundance of caution, to send the waiver to the property owners on the other side of the platted pathway. Property across a street or road is not adjoining.
3. The waiver must include all required information in order to be complete. If the waiver does not have the required information it will be returned to the property owner or Real Estate Agent and the Date of Issue will not be valid until the waiver is complete. The closing date cannot be prior to the provision of 15 days notice. Therefore, if you do not file a completed waiver and it is returned, your closing date will need to be adjusted to the date the completed waiver is submitted to the Association. Closing can take place prior to the expiration of the 15 days notice if and only if waivers are signed off by the Association and the adjoining property owners.
4. Owner/seller or Real Estate agent can contact the Association for the adjoining property owners mailing address in cases where notice cannot be personally served.
5. Non submission of waivers to the Association and the adjoining property owners may prevent the passing of clear title to the new property owner.
6. Waivers are a legal document and must be properly executed.
7. By precedence in the courts, the Association recognizes the first waiver received at the Association office exercising the option to buy described property as the new buyer. Election to exercise the option by one adjoining property owner precludes the other property owners from exercising an option to purchase said property.
8. **THIS IS NOT LEGAL ADVICE. IF YOU HAVE SPECIFIC QUESTIONS REGARDING YOUR PARTICULAR CIRCUMSTANCE YOU SHOULD SEEK YOUR OWN LEGAL COUNSEL.**

Office use only Date and time Received
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NOTICE OF SALE PROPERTY WAIVER

*Date of Issue _____

Whereas, the undersigned, as *owners of Lots _____ and _____ Block _____, Lake Lotawana, Missouri, and the Lake Lotawana Association, Inc., having been duly notified of the terms and agreements of the sale, do hereby waive all rights to purchase the following described property:

***All of Lot(s) _____ Block _____, Lake Lotawana, a subdivision of Jackson County, City of Lake Lotawana, Missouri, according to the recorded plat thereof.**

And we further relinquish the fifteen (15) day notice as is provided by the subdivision restrictions, to-wit:

"...No sale, contract to sell, or conveyance of the real estate herein described shall be made or consummated without first giving at least fifteen (15) days written notice to GRANTOR, and to the owners of the two side adjoining lots, of the proposed sale price and terms thereof; and thereupon the GRANTOR and/or either of the side adjoining lot owners shall have the first and prior right, option, and privilege during said period of fifteen (15) days to buy said real estate at the same price and upon the same terms. Such written notice shall be personally served, if service can be made on the subdivision. If any person entitled to service cannot be found on the subdivision, notice may be mailed to such person at his address last known to the GRANTOR. Affidavit of the person making service shall be sufficient evidence thereof..."

Above Property being sold to:

Terms and Agreement of Sale: (Notify if sale not completed on date shown)

*Name(s) _____

 *Address _____

 *Telephone _____

*Sale Price _____
 *Closing Date _____
 *Terms _____

 *Will Reside: Lake Other

*Waived By:

Lake Lotawana Association, Inc. _____

 President Date

Purchasers are advised they must apply for a transfer of the permit for all docks currently assigned to this property within 30 days of purchase

Owner Lot _____ Block _____ _____
 Signature Date

Owner Lot _____ Block _____ _____
 Signature Date

Owner Lot _____ Block _____ _____
 Signature Date

Owner Lot _____ Block _____ _____
 Signature Date

*Authorizations

*Owner/Seller _____ *Realtor/Title Co. _____

*Print Name _____

We wish to exercise our option to purchase said property:

Name _____ Address _____ Phone _____

- *Required information – if required information is not provided waiver will be returned and the date of issue will restart from date waiver is submitted with all required information.