OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

WMAC 2013, LLC, Appellant, v. ANTHONY BEST LLC, RESIDENT TENANT OCCUPANT, ST. LOUIS COUNTY CLEAN ENERGY DEVELOPMENT BOARD, CITY OF PINE LAWN, MISSOURI, AND ST. LOUIS COUNTY, MISSOURI, Defendants, and THE METROPOLITAN ST. LOUIS SEWER DISTRICT, Defendant/Respondent.	)	ED113868 Filed: November 10, 2026

Appeal from the Circuit Court of St. Louis County
The Honorable Heather R. Cunningham, Judge

SUMMARY:
Appellant acquired title to 6128 Bircher Street in St. Louis County through a delinquent tax sale in August 2023 pursuant to Chapter 140 RSMo. (2024), which is legislation originally passed in 1933 as the Jones-Munger Act to create a comprehensive *administrative* scheme to deal with tax delinquent real estate through the administrative foreclosure and sale of the properties. In December 2023, WMAC sued a number of entities including Respondent Metropolitan St. Louis Sewer District (MSD) and Anthony Best, LLC, the former owner of the property, seeking to quiet title in the property and to declare null and void MSD's claimed lien on the property for Best's unpaid sewer bills. The trial court entered its judgment quieting WMAC's title but denied its prayer with respect to the MSD lien; instead declaring section 140.160.1's three-year "limitation of actions" provision inapplicable such that the lien remained a viable encumbrance on WMAC's Bircher Street property.

AFFIRM IN PART AND REVERSE AND REMAND IN PART.

DIVISION FOUR HOLDS:
We affirm the trial court's decision quieting WMAC's fee simple title to the Property. We reverse that portion of the judgment declaring that MSD's lien continues to be a valid encumbrance on the Property because we hold that the three-year limitations provision applies to sewer district liens. We remand for further proceedings because the record below fails to establish how much, if any, of MSD's claimed lien survives application of section 140.160.1. The remand is to give the parties the opportunity to develop additional proof and for the trial court to apply section 140.160.1 and the holdings of this case to that proof.

Opinion by: James M. Dowd, Judge
Rebeca Navarro-McKelvey, Presiding Judge, concurs and
Gary M. Gaertner, Jr., Judge, dissents in a separate opinion.

Attorneys for Appellant: Scott F. Walterbach and Matthew D. Bessine

Attorneys for Respondent: Jonathan P. Beck, Kevin J. Marquitz, Ebony Sheckles, Debbie S. Champion, and Victor H. Essen.

This summary is not part of the opinion of the court. It has been prepared for the convenience of the reader and should not be quoted or cited.