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EW
Stephen D. Mossman, Attorney
Mattson Ricketts Law Firm
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Lincoln, NE 68508-1901

MEMORANDUM OF RESOLUTION

THIS MEMORANDUM OF RESOLUTION is executed on the 10th day of February, 2020 by and on behalf of the Board of Directors of West Highlands Townhome Association, Inc. ("Board").

WITNESSETH:

WHEREAS, the Board has approved Resolution No. 2012-1 on March 12, 2012; and

WHEREAS, the Board has approved Resolution No. 2012-2 on March 12, 2012.

NOW THEREFORE, this Memorandum of Resolution states as follows:

HIGHTO
1. This Memorandum of Resolution shall be filed with the Lancaster County Register of Deeds and indexed against the following described real estate:

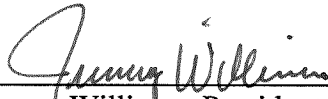
Lots One (1) through Sixteen (16), Block One (1);
Lots One (1) through Twenty-Four (24), Block Two (2);
Lots One (1) through Four (4), Block Three (3);
Lots One (1) through Ten (10), Block Four (4); and
Lots One (1) through Forty (40), Block Five (5), Highlands Townhome Addition, Lincoln, Lancaster County, Nebraska; and

Outlot "A", Highlands Townhomes Addition, Lincoln, Lancaster County, Nebraska.

2. This Memorandum of Resolution shall be recorded to give notice of the existence of Resolution Nos. 2012-1 and 2012-2.

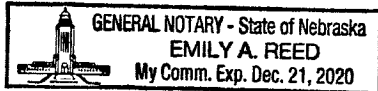
3. Resolution Nos. 2012-1 and 2012-2 are attached hereto as Exhibit "A" and incorporated herein by reference.

West Highlands Townhome Association, Inc.

By: 
Jeremy Williams, President

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me on the 16th day of February, 2020, by Jeremy Williams, President of West Highlands Townhome Association, Inc., a non-profit domestic corporation, on behalf of the corporation.



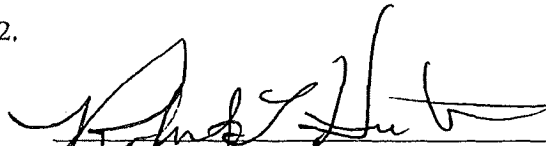

Notary Public

RESOLUTION NO. 2012-1

At its duly noticed meeting held on 3-12, 2012, the Board of Directors of the West Highlands Townhome Association, Inc. ("West Highlands") adopted unanimously the following Resolution:

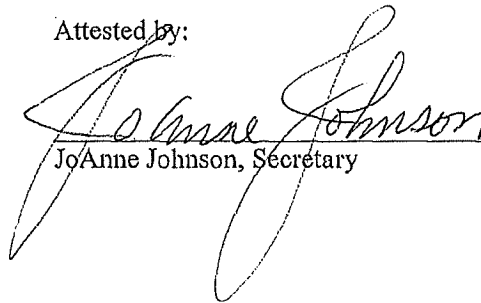
BE IT RESOLVED by the Board of Directors of West Highlands that the Rules and Regulations attached hereto as Exhibit "A" and incorporated herein by reference were adopted to the authority granted the Board by Paragraph 10(c) of the Covenants and Restrictions of West Highlands. Such Rules and Regulations are intended to modify and supplant Paragraph 10(c) of the Covenants and Restrictions of West Highlands except where no modifications were made.

Dated this 12 day of February, 2012.



Robert Heater, President

Attested by:



JoAnne Johnson, Secretary

EXHIBIT
"A"

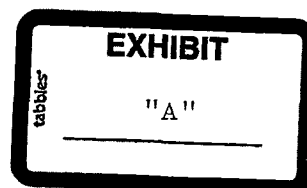
Rules and Regulations Adopted Pursuant to Paragraph 10(c)
of the Covenants and Restrictions of Highlands Townhomes

Pursuant to the authority granted the Board by Paragraph 10(c) of the Covenants and Restrictions of West Highlands Townhome Association, Inc. ("Highlands Townhomes") the following Rules and Regulations were adopted by Resolution No. 2012-1 by the Board of Directors of the Highlands Townhome. Such Rules and Regulations are intended to modify and supplant Paragraph 10(c) of the Covenants and Restrictions of Highlands Townhome ("Restrictive Covenants") except where no modifications were made.

10. General Standards for Townhomes

c. **Landscaping/Fence/Accessory Structures.** Before any Townhome Owner of a Townhome Lot may construct, plant, or install any fence, customized landscaping or outbuilding, such Townhome Owner shall first submit plans for such improvement to the Townhome Owner, as long as Townhome Owner retains any Class B Membership Units and thereafter to the Association. The Association, acting through its Board of Directors is hereby authorized to adapt reasonable rules and regulations the construction of fences or accessory structures or the installation of landscaping. The following standards are adopted pursuant to the authority set forth herein:

- i. **Fencing.** Fencing of the Patio will be permitted by first submitting a drawing of what the Townhome Owner is considering to the Board which will review the request. The Fencing must touch the patio surface. The Townhome Owner will be responsible for the sprinkler system which would be moved and all digging permits required. The Fencing cannot be more than 72 inches high, must have a 48 inch gate and be made of white plastic material to match the party wall. In the alternative, the Fencing can be made of wrought iron with a 48 inch gate. All designs must be approved by the Board.
- ii. **Accessory Structures.** Accessory structures such as storage sheds and playhouses shall not be permitted. Playground equipment shall not be permitted, except as installed by the Association in the Common Areas. Basketball hoops and/or standards are prohibited.
- iii. **Dog Kennels.** No dog run or kennel shall be permitted.



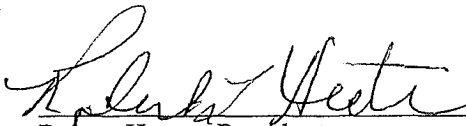
- iv: Satellite Dish. Any satellite dish shall be located and screened so as to be as unobtrusive as is reasonably possible. Any satellite dish shall not exceed 36" in diameter.
- v. Garbage. All garbage totes/recycle totes will be kept in the garage except for pickup day. Garbage totes must have lids lock down when sitting out to keep trash from blowing out of tote.
- vi. Patio. No storing of refrigerators, motorcycles, boats, jet skis, snowmobiles, couches, or inside furniture on the patio.

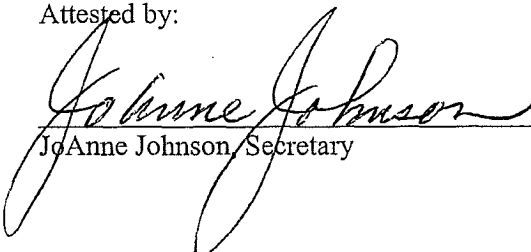
RESOLUTION NO. 2012-2

At its duly noticed meeting held on 3-12, 2012, the Board of Directors of the West Highlands Townhome Association, Inc. ("West Highlands") adopted unanimously the following Resolution:

BE IT RESOLVED by the Board of Directors of West Highlands that the General Rules and Regulations attached hereto as Exhibit "A" and incorporated herein by reference were adopted pursuant to the authority granted the Board by Article VII, Section 1(A) of the Bylaws of West Highlands.

Dated this 12 day of February, 2012.

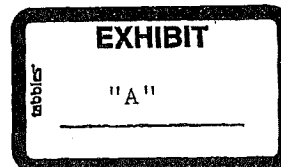

Robert Heater, President

Attested by:

JoAnne Johnson, Secretary

**General Rules and Regulations pursuant to Article VII,
Section 1(A) of the Bylaws of West Highlands Townhome
Association, Inc.**

Pursuant to the authority granted the Board by Article VII, Section 1(A) of the Bylaws of West Highlands Townhome Association, Inc. ("Highlands Townhome") the following Rules and Regulations were adopted by Resolution No. 2012-2 by the Board of Directors of the Highlands Townhome.

- Section 1. **Common Area Parking.** Each townhome has 4 parking stalls with 2 stalls in the garage and 2 in the drive-way. The parking areas in the Commons Areas serve as overflow parking. The offstreet parking and any parking areas on private streets ("Common Area Parking") are intended to be reserved for parking areas for guests and visitors. No Townhome Owners or Tenants shall park in visitor parking that has a "No Parking" sign that designates no parking. Violators will be towed at Townhome Owner's expense. Vehicles parking in common area and on streets must be moved after 24 hours in accordance with the City of Lincoln ordinances. Violators will be towed at owner's expense.
- Section 2. **Fine Schedule.** The adopted Fine Schedule is attached hereto as Exhibit "1" and incorporated herein by reference.
- Section 3. **Yard Inspection.** The Association shall impose a yearly inspection of lawns to determine where to replace any sod destroyed by Townhome Owner's or Tenant's pet(s). Replacing said sod is required to maintain the quality of the lawn throughout the Associations boundaries. The reasonable cost of replacing sod will be billed to the offending Townhome Owner as a fine pursuant to the Fine Schedule.



Fine Schedule (2012)

West Highlands Townhome Association, Inc. d/b/a Highlands Townhome Association

Pursuant to the authority granted the West Highlands Townhome Association, Inc. d/b/a Highlands Townhome Association ("Association"), the following Fine Schedule and Rules are adopted:

General Fine Schedule

Following notice and an opportunity to be heard before the Board, the following fines will be levied:

- First fine will be \$25.00
- Second fine will be \$50.00
- Third fine will be \$100.00
- Following the third fine and until the problem/issue is corrected the Townhome Owner will be fined \$100.00 each month and/or possible legal action.

Rules

If legal action is taken the Townhome Owner will be 100 percent responsible for the fees of the Association if found to be in violation. When assessments are paid, if there is a late fee or fine all monies paid will go towards the late fee or fine first and assessments second which could result in more late fees for assessments not being paid on time. Nothing contained herein shall limit the ability of the Association to initiate any proceedings in law or equity allowed under the Covenants and Restrictions of Highlands Townhomes, the Bylaws of the West Highlands Townhome Association, Inc or Nebraska law.

Yard Inspection and Sod Replacement Fines

As set forth in the General Rules and Regulations pursuant to Article VII, Section 1 (A) of the Bylaws, Section 3, Yard Inspection, any Townhome Owner who allows the sod to be destroyed by a pet is subject to a fine as follows:

