

AMENDED AND RESTATED  
**HOUSE RULES**  
FOR  
CHERRY GARDEN CONDOMINIUM PROPERTY REGIME  
described as

Units 1 through 18, in Cherry Garden Condominium Property Regime, a condominium organized under the Laws of the State of Nebraska pursuant to Master Deed and Declaration recorded in book 1965, page 146, Douglas County, Nebraska, and any amendments thereto.

These House Rules are made by the Board of Directors of Cherry Garden Condominium Association, Inc. and may be amended from time to time by at least three (3) Directors on the Board for the enjoyment and mutual benefit of the community. House Rules are subject to other Association documents as well as state laws. Input is welcome from owners and residents.

Return: Cherry Garden Condominium Association, Inc.  
810 South 37<sup>th</sup> Avenue  
Omaha, NE 68105

1. Assessments. Monthly assessments based off of the annual adopted budget are due on the first (1<sup>st</sup>) of each month and are to be placed in the mail slot of the 810 door found on the east side of the 814 building. The mailing address is at the bottom of the previous page. If approved by both Officers that sign for the Resolution of the checking account, assessments may be wired at the expense of the individual owner; should the Association incur a fee, the individual owner must pay for it.

2. The Board of Directors advises the President on making Committee appointments. Fourteen (14/18) Units must have at least one owner/resident serving on either the Board, as qualified, or in a Committee. Committees are assigned specific tasks and *recommend* changes in policies; only the Board can *establish* policy. Committees are to cooperate, stick to task, and provide concise meeting reports, as needed, in print for the Secretary to attach to the Minutes. The Committees are:

A) Finance: largely under the direction of the Treasurer who may call upon this committee to help prepare a preliminary annual budget to submit to the Board, solve budgeting issues, and monitor reserve funds.

B) Covenants: under the direction of the Board who may call upon this committee to review the Association's governing documents. Provide administrative support/electronic organization of Association material(s) as needed.

C) Landscaping: under the direction of the Board who may call upon this committee to review owners' applications for permission to plant or change the grounds. Help as needed with seasonal issues: snow/ice removal, weed spray/removal, and litter removal. Assists with ice melt (stored in 810) and snow shovel distribution at entryways.

D) Building: under the direction of the Board who may call upon this committee to evaluate formal bids and make recommendations to the Board, monitor contractors' performance, help with maintenance of the buildings and stoops. Help as needed with paint and drywall in common areas.

3. Common areas are owned jointly by all owners, and all owners have joint responsibility for the safety, security, and cleanliness of the common areas. All Rented Units must be registered according to City of Omaha ordinance 41767c, Chapter 48, Article II. Necessary remedial actions by any owner or resident such as replacing light bulbs, broadcasting supplied ice melt, picking up trash in common areas, securing doors, or pulling weeds is expected. Notify the Board promptly if there are problems with the common areas. Owners first contact each

other about any issues, disputes, or disagreements. Second, unresolved issues get submitted to the Board in print.

4. Documents to reference as of 1 Jan 2022 (in this order):

- House Rules (current version)
- Bylaws, 9<sup>th</sup> Revision (2020) *filed as Inst. # 2020129076* KT  
12/11/21
- Declaration (1993)
- Articles of Incorporation (2019)
- State statutes (Nebraska Condominium/Nonprofit Act)
- OPTIONAL: Residential Lease Agreement (template, 2019)

5. Heating and Air Conditioning. Owners are responsible for their own furnace and air conditioner. New furnaces should have a MUD permit completed by inspection.

6. Household Waste. Secure trash in a plastic bag before placing in the outdoor carts with black lids at the rear of the building. It is the shared responsibility of each owner/resident to take the carts to the curb every Tuesday before 6:00 AM as well as to remove trash from common areas. Recycling (carts with green lids) for group B is every other Tuesday.

7. Insurance. Each owner is responsible for obtaining Homeowner's Policy Number 6, or equivalent, for their individual Unit and must provide a certificate of insurance to the Board when the insurance is renewed and/or requested by the Board. Renters must have renters' insurance.

8. Keys. Keys to the outside doors are the property of the Association. Keys that say "Do Not Duplicate" require written permission from the Board to be copied. Each Unit is allocated three keys maximum for their own building. All keys must pass-on to the subsequent owner. Any lost keys may incur a fee.

9. Laundry. Residents must keep the laundry area clean. Owners must vent and maintain dryers according to code for multi-family dwellings (Zone R7). Residents may use the laundry outside of quiet hours (see 14). Any buzzers or other sounds should be turned off. The electric panels need three feet of clearance in front of them.

10. Number. No Unit shall be occupied by more than three persons, which number shall not include more than two children (under 13 years of age), without the consent of 100% of the Association.

11. Outside of the Units, personal property is to be kept within designated storage areas, except when impractical. To avoid a fine and/or confiscation, contact the Board regarding such items. The Association assumes no liability for nor shall it be liable for any loss or damage to articles stored in any common or other storage area.

12. Pets. Residents may only have one pet per Unit and must clean up their pet's excrement and keep it away from building entrances. Any more than one pet has to be approved by the Board. Pets must be on a leash or in a kennel when outside of the Unit. Pets must not be obnoxious to other Cherry Garden residents (in which event the owner or person having control of the animal shall be given a written notice from the Board to correct the problem, or if not corrected, the owner, upon written notice, will be required to remove the animal).

13. Plumbing fixtures and/or clogged drains. If a plumbing issue affects only one Unit, the owner of that Unit is responsible for getting it fixed. Any damage to common areas from that Unit is the responsibility of the owner of that Unit. Avoid allowing improper waste in the plumbing.

14. Quiet hours are from 10:00 p.m. to 7:00 a.m. At any hour, residents and their guests shall exercise reasonable care to avoid making loud, disturbing, or objectionable noises on the premises.

15. Remodeling. Any redo must be carried out within the Unit. No improvement or wiring shall protrude through the walls or roof of the building except as may be expressly authorized by the Association. If a noxious agent should be used, notice must first be given to and consent gained from other residents of the building.

16. Signs, windows, plants. No owner or resident shall display any sign visible from the exterior of any building. Windows are the responsibility of the owners. If replacing windows, contact the Board for design approval. With the exception of pulling weeds, any form of gardening requires permission by:  
1) submitted application for Landscaping Committee review, and  
2) Board approval.

17. Smoking is not allowed in any of the indoor common areas. Any open flames must be attended. Smoke and carbon monoxide detectors must be in working order.

18. Time. If you have any questions or concerns for the Board or a Committee, observe quiet hours (see 14), Monday through Friday for non-emergency situations when calling or texting.

The most current list of officers and directors is found on the Nebraska Secretary of State website. The Association Secretary makes available updated contact information for all Cherry Garden Members and Unit Residents.

Approval by the Board of Directors was required with four (4) votes entitled to be cast.

Total votes FOR: 4 and AGAINST: 0

Means of voting: Voice Vote

The number of votes cast was sufficient for approval by the Board.

Board meeting date: Wed 8 Dec. 2021

EXECUTED by the President of Cherry Garden Condominium Association, Inc. at Omaha, Nebraska

On this 14 day of December, 2021

Melanie Arnold  
Melanie Arnold, President

STATE OF NEBRASKA

COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 14 day of December 2021 2021 by Melanie Arnold.

Notary Public Cris Stoll

My commission expires 5/16/25

NOTARY SEAL

