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CV6-12705

HOMEOWNERS ASSOCIATION

BY-LAWS
OF
VAN DORN VILLA CONDOMINIUM
3001 South 51st Street
Lincoln, Nebraska 68506

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HOMEOWNERS ASSOCIATION

BY-LAWS

OF

VAN DORN VILLA CONDOMINIUM

LINCOLN, NEBRASKA

ARTICLE I

Plan of Unit Ownership

Section 1. Unit Ownership. The property located in the City of Lincoln, the County of Lancaster, State of Nebraska (hereinafter called the "Property"), has been submitted to the provisions of the Nebraska Condominium Act, Neb. Rev. Stat. §76-825 to 76-894 (Cum. Supp. 1984), by the Declaration recorded in the land records in and for Lancaster County, Nebraska, simultaneously herewith, and shall hereinafter be known as "Van Dorn Villa Condominium" (hereinafter called the "Condominium").

Section 2. Applicability of By-Laws. The provisions of these By-Laws are applicable to the Property of the Condominium and to the use and occupancy thereof. All present and future owners, mortgagees, lessees and occupants of Units and their employees, guests, invitees and any other person who may use the facilities of the Property in any manner, are subject to these By-Laws, the Declaration and the Rules and Regulations adopted by the Board of Administrators. The acceptance of a deed or conveyance or the entering into of a lease or the act of occupancy of a Unit shall conclusively establish the acceptance and ratification of these By-Laws, the Rules and Regulations and the provisions of the Declaration, as they may be amended from time to time, by the person so acquiring, owning, leasing or occupying a Unit and shall constitute an agreement by such person to comply with the same and be evidence thereof.

Section 3. Administration. The office of the Condominium and of the Board of Administrators shall be located at the Condominium or at such other place as may be designated from time to time by the Board of Administrators.

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ARTICLE II

Association of Co-Owners

Section 1. Composition. All of the Co-Owners of Units contained in the Condominium shall constitute the "Association of Co-Owners," also sometimes referred to herein as the "Homeowners Association," who shall have the responsibility of administering the Condominium, establishing the means and methods of collecting the contributions to the common expenses, arranging for the management of the Condominium, and performing all of the other acts that may be required to be performed by the Association of Co-Owners by the Nebraska Condominium Act and the Declaration. Except as to those matters which the Condominium Property Act specifically requires to be performed by the vote of the Co-Owners of the Units, and except as provided in Section 2 below, the administration of the foregoing responsibilities shall be performed by the Board of Administrators as more particularly set forth in Article III.

Section 2. Initial Administration of Condominium. Until such time as the Developer has sold 51% of the Units subject to the Declaration, the Developer shall have the discretionary power to exercise all rights and perform all duties as provided in the Declaration and these By-Laws that will be performed subsequently by the Board of Administrators.

Declarant control shall terminate no later than 60 days after conveyance of 90% of the Units to the Unit owners other than the declarant or two years after all declarants have ceased to offer sale in the ordinary course of business. A Declarant may voluntarily surrender the right to appoint and remove officers and members of the Executive Board before termination of the period. All declarant control is governed by the Nebraska Condominium Act, Neb. Rev. Stat. §76-844 (Cum. Supp. 1984).

Not later than 60 days after conveyance of 25% of the units which may be created, at least one member and not less than 25% of the Executive Board shall be elected by Unit Owners other than the Declarant. Not later than 60 days after conveyance of 50% of the units which may be created, at least one member and not less than 33 and 1/3% of the Executive Board shall be elected by Unit Owners other than the Declarant.

Not later than the termination of a period of declarant control the Unit Owners shall elect an Executive Board of at least three members, at least a majority of whom must be Unit Owners.

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Section 3. Annual Meetings. Promptly after the Fifty-one Percent of the unit has been sold by the Developer and such sale has been closed, the Developer shall notify the Co-Owners of the Units, and the first annual meeting of the Association of Co-Owners shall be held within thirty (30) days thereafter on a call issued by the Developer. At such meeting all of the Co-Owners, including the Developer if the Developer owns any Unit or Units, shall elect a Board of Administrators. Thereafter, the annual meetings of the Association of Co-Owners shall be held upon such date and at such time as the Board of Administrators shall determine. At such annual meetings, the Board of Administrators shall be elected by ballot of the Co-Owners in accordance with the requirements of Section 4 of Article III of these By-Laws. The Association of Co-Owners may transact such other business at such meetings as may properly come before them.

Section 4. Place of Meetings. Meetings of the Association of Co-Owners shall be held at the principal office of the Condominium or at such other suitable place convenient to the Co-Owners as may be designated by the Board of Administrators.

Section 5. Special Meetings. It shall be the duty of the President to call a special meeting of the Association of Co-Owners if so directed by resolution of the Board of Administrators or upon a petition signed and presented to the Secretary by Co-Owners owning not less than twenty percent (20%) of the Percentage Interests of all Co-Owners. The notice of any special meeting shall state the time and place of such meeting and the purpose thereof. No business shall be transacted at a special meeting except as stated in the notice.

Section 6. Notice of Meetings. It shall be the duty of the Secretary to mail a notice by regular or certified mail of each annual or special meeting of the Co-Owners, at least ten (10) but not more than twenty (20) days prior to such meeting stating the purpose thereof as well as the time and place where it is to be held, to each Co-Owner of record, at such address as each Co-Owner shall have designated by notice in writing to the Secretary. The mailing of a notice of meeting in the manner provided in this Section shall be considered service of notice.

Section 7. Quorum. The presence of Co-Owners in person or by proxy who have the authority to cast a majority of all the total votes of all Co-Owners of the Association entitled to vote shall be necessary to constitute a quorum at all meetings of the Co-Owners for the transaction of business. The quorum, having once been established at a meeting, shall continue to exist for that meeting, notwithstanding the departure of any Co-Owners previously in attendance by person or by proxy. Any meeting may be adjourned upon a majority vote of those present at the time the motion to adjourn is considered.

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Section 8. Order of Business. The order of business at all annual meetings of the Association of Co-Owners shall be as follows:

- (a) Roll call
- (b) Proof of notice of meeting
- (c) Reading of minutes of preceding meeting
- (d) Reports of officers
- (e) Reports of Board of Administrators
- (f) Reports of committees
- (g) Election of inspectors of election (when so required)
- (h) Election of members of the Board of Administrators (when so required)
- (i) Old business
- (j) New business

Section 9. Voting. Voting at all meetings of the Association of Co-Owners shall be on a percentage basis and the percentages of the vote to which each Co-Owner is entitled shall be the Percentage Interest assigned to his Unit in the Declaration. Where the ownership of a Unit is in more than one person, then the person who shall be entitled to cast the vote of that Unit shall be the person first named in the ownership certificate (except by proxy given by said person). Such certificate shall be valid until revoked by a subsequent certificate. Wherever the approval or disapproval of a Co-Owner is required by the Nebraska Condominium Act, the Declaration or these By-Laws, such approval or disapproval shall only be made by the person who would be entitled to cast the vote for the Co-Owner of such Unit at any meeting of the Association of Co-Owners. Except where a greater number is required by the Nebraska Condominium Act, the Declaration or these By-Laws, a majority of the Co-Owners present is required to adopt decisions at any meeting of the Association of Co-Owners. If the Developer or the Association of Co-Owners owns or holds title to one or more Units, the Developer or the Board of Administrators, as the case may be, shall have the right at any meeting of the Association of Co-Owners to cast the votes to which such Unit(s) is entitled. The Co-Owners do not have the right of cumulative voting.

Section 10. Proxies. A vote may be cast in person or by proxy. Proxies may be valid only for the particular meeting designated therein and must be filed with the Secretary before the appointed time of the meeting and must be dated, signed and witnessed.

Section 11. Majority of the Co-Owners. Majority of the Co-Owners means the Co-Owners of more than fifty percent (50%) of the aggregate Percentage Interest. Any specified percentage or proportion of the Co-Owners means the Co-Owners of such number of Percentage Interest in the aggregate.

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Section 12. Conduct of Meeting. The President shall preside over all meetings of the Association of Co-Owners and the Secretary-Treasurer shall keep the minutes of the meeting and record in a Minute Book all resolutions occurring thereat. Roberts Rules of Order shall govern the conduct of all meetings of the Association of Co-Owners when not in conflict with the Declaration, these By-Laws or the Nebraska Condominium Act.

ARTICLE III

Board of Administrators

Section 1. Number and Qualification. The affairs of the Condominium shall be governed by a Board of Administrators. The Board of Administrators shall be composed of five (5) persons, or any odd number 5 or over which is approved by a Majority of the Co-Owners, all of whom shall be Co-Owners of Units or officers, directors, or designees of Co-Owners.

Section 2. Powers and Duties. The Board of Administrators shall have all of the powers and duties necessary for the administration of the affairs of the Condominium and may do all such acts and things as are not required by the Nebraska Condominium Act or by these By-Laws to be exercised by others. The Board of Administrators shall have the power from time to time to adopt any Rules and Regulations deemed necessary for the enjoyment of the Condominium, provided such Rules and Regulations shall not be in conflict with the Nebraska Condominium Act or the Declaration. In addition to the duties imposed by these By-Laws or by any resolution of the Association of Co-Owners that may hereafter be adopted, the Board of Administrators shall have the power to, and be responsible for, the following:

- (a) preparation of an annual budget, in which there shall be established the contribution of each Co-Owner to the Common Expenses;
- (b) making assessments against Co-Owners to defray the costs and expenses of the Condominium, establishing the means and methods of collecting such assessments from the Co-Owners, and establishing the period of the installment payment of the annual assessment for Common Expenses. Unless otherwise determined by the Board of Administrators, the annual assessment against each Co-Owner for his proportionate share of the Common Expenses shall be payable in equal monthly installments, each such installment to be due and payable in advance on the first day of each month for said month;
- (c) providing for the operation, care, upkeep, maintenance and surveillance of all of the Property and services of the Condominium;

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- (d) designating, hiring and dismissing the personnel necessary for the maintenance, operation, repair and replacement of the Common Elements, and providing services for the Property, and, where appropriate, providing for the compensation of such personnel and for the purchase of equipment, supplies and material to be used by such personnel in the performance of their duties, which equipment, supplies and material shall be deemed the common property of the Co-Owners;
- (e) collecting the assessments against the Co-Owners, depositing the proceeds thereof in a bank depository which it shall approve, and using the proceeds to carry out the administration of the Property;
- (f) making and amending Rules and Regulations respecting the use of the Property and the personal conduct of owners and occupants and their invitees;
- (g) opening of bank accounts on behalf of the Condominium and designating the signatories required therefor;
- (h) making, or contracting for the making of, repairs, additions, and improvements to, or alterations of, the Property and repairs to, and restoration of, the Property, in accordance with the other provisions of these By-Laws, after damage or destruction by fire or other casualty or as a result of condemnation or eminent domain proceedings, or for the general upkeep, repair, decorating and keeping the property in good repair and in a neat and clean condition.
- (i) enforcing by legal means the provisions of the Declaration, these By-Laws and the Rules and Regulations for the use of the Property adopted by it, and bringing any proceedings which may be instituted on behalf of the Co-Owners;
- (j) obtaining and carrying insurance against casualties and liabilities, as provided in the Declaration, and paying the premium cost thereof;
- (k) paying the cost of all services rendered to the Condominium and not billed to Co-Owners of individual Units;
- (l) keeping books with detailed accounts in chronological order to the receipts and expenditures affecting the Property, and the administration of the Condominium, specifying the maintenance and repair expenses of the Common Elements and any other expenses incurred. The said books and vouchers

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accrediting the entries thereupon shall be available for examination by any Co-Owner, his duly authorized agent or attorney, or by any prospective purchaser of a Unit, at convenient hours on working days at the times and in the manner that shall be set and announced by the Board of Administrators for the general knowledge of the Co-Owners. Any prospective purchaser must be designated as such by a Co-Owner in writing. All books and records shall be kept in accordance with good and accepted accounting practices, and the same shall be audited at least once a year by an outside auditor employed by the Board of Administrators who shall not be a resident of the Condominium, or a Co-Owner. The cost of such audit shall be a Common Expense.

- (m) notifying the mortgagee of any Unit of any default by the Co-Owner of such Unit whenever requested in writing by such mortgagee to send such notice;
- (n) to do such other things and acts, including the requirements of any lending institution authorized by any Co-Owner to receive such information to assist in financing the purchase of any Unit or Units, not inconsistent with the Nebraska Condominium Act and with the Declaration which it may be authorized to do by a resolution of the Association.

Section 3. Managing Agent. The Board of Administrators may employ for the Condominium a professional Managing Agent at a compensation established by the Board of Administrators, to perform such duties and services as the Board of Administrators shall authorize, including, but not limited to, the duties listed in paragraphs (a), (c), (d), (e), (h), (j), (k), (l), (m) and (n) of Section 2 of this Article III. The Board of Administrators may delegate to the Managing Agent all of the powers granted to the Board of Administrators by these By-Laws other than the powers set forth in paragraphs (b), (f), (g) and (i) of Section 2 of this Article III.

Section 4. Nomination, Election and Term of Office. At the first annual meeting of the Association of Co-Owners, the term of office of two (2) members of the Board of Administrators shall be fixed at three (3) years, the term of office of two (2) members of the Board of Administrators shall be fixed at two (2) years, and the term of office of one (1) member of the Board of Administrators shall be fixed at (1) year. At the expiration of the initial term of office of each respective member of the Board of Administrators, his successor shall be elected to serve the same term as the office being vacated. Any members can be re-elected. The members of the Board of Administrators shall hold office until their respective successors shall have been elected by the Association of Co-Owners.

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- (a) Nominations for election to the Board of Administrators may be made by the Association of Co-Owners at their annual Association meeting. Nominations can be in writing.
 - (b) Nominations for election to the Board of Administrators shall be made separately for each position to be elected by ballot.
 - (c) Each notice of nomination hereunder shall set forth:
 - (1) the name, age, business address, if known, and residential address of each nominee proposed in such notice;
 - (2) the principal occupation or employment of such nominee;
 - (3) other information which a majority of the Board of Administrators may hereafter vote to require.
 - (d) The Chairman of the meeting may, if the facts warrant, determine and declare to the meeting that a nomination was not made in accordance with the foregoing procedure, and, if he should determine the same, he shall so declare to the meeting, whereupon the defective nomination shall be invalid and disregarded.
 - (e) The names placed in nomination shall be submitted to a vote of the Co-Owners. In the event that no candidate receives the vote of a majority of Co-Owners, the names of the two (2) candidates receiving the greatest number of votes on the first ballot shall be resubmitted for a vote of the Co-Owners and the candidate receiving the greatest number of votes on the second ballot shall be deemed to be elected to such position on the Board of Administrators.

Section 5. Removal of Members of the Board of Administrators. Notwithstanding any other provisions in these By-Laws (and notwithstanding the fact that some lesser percentage may be specified by law or these By-Laws), at any regular or special meeting duly called, any one or more of the members of the Board of Administrators may be removed with or without cause, but only by the affirmative vote of seventy percent (70%) or more of the total membership of the Co-Owners. A successor may then and there be elected to fill the vacancy thus created; provided, any Administrator whose removal has been proposed by the Co-Owners shall be given at least ten (10) days notice of the calling of the meeting and the purpose thereof. He shall be given an opportunity to be heard at the meeting.

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Section 6. Vacancies. Vacancies in the Board of Administrators caused by any reason other than the removal of an Administrator by a vote of the Association of Co-Owners shall be filled by a vote of a majority of the remaining Administrators at a special meeting of the Board of Administrators held for that purpose promptly after the occurrence of any such vacancy, even though the Administrators present at such meeting may constitute less than a quorum, and each person so elected shall be a member of the Board of Administrators for the remainder of the term of the member so removed and until a successor shall be elected at the next annual meeting of the Association of Co-Owners.

Section 7. Organization Meeting. The first meeting of the members of the Board of Administrators following the annual meeting of the Association of Co-Owners shall be held within ten (10) days thereafter at such time and place as shall be fixed by the Association of Co-Owners at the meeting at which such Board of Administrators shall have been elected, and no notice shall be necessary to the newly-elected members of the Board of Administrators in order legally to constitute such meeting, providing a majority of the whole Board of Administrators shall be present thereat.

Section 8. Regular Meetings. Regular meetings of the Board of Administrators may be held at such time and place as shall be determined from time to time by a majority of the Administrators, but at least two (2) such meetings shall be held during each fiscal year. Notice of regular meetings of the Board of Administrators shall be given to each Administrator, in person, by mail or by hand, at least three (3) business days prior to the day named for such meeting.

Section 9. Special Meetings. Special meetings of the Board of Administrators may be called by the President on three (3) business days' notice to each Administrator, given personally by mail or by telegraph, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Administrators shall be called by the President or Secretary-Treasurer in like manner and on like notice on the written request of at least two (2) Administrators.

Section 10. Waiver of Notice. Any administrator may, at any time, in writing, waive notice of any meeting of the Board of Administrators, and such waiver shall be deemed equivalent to the giving of such notice. Attendance by an Administrator at any meeting of the Board of Administrators shall constitute a waiver of notice by him of the time and place of such meeting. If all Administrators are present at any meeting of the Board of Administrators, no notice shall be required and any business may be transacted at such meeting.

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Section 11. Quorum of Board of Administrators. At all meetings of the Board of Administrators, a majority of the Administrators shall constitute a quorum for the transaction of business, and the votes of a majority of the Administrators present at a meeting at which a quorum is present shall constitute the decision of the Board of Administrators. If at any meeting of the Board of Administrators there shall be less than a quorum present, a majority of those present may adjourn the meeting from time to time. At any such adjourned meeting at which a quorum is present, any business which might have been transacted at the meeting originally called may be transacted without further notice.

Section 12. Fidelity Bonds. The Board of Administrators shall obtain adequate fidelity bonds for all officers and employees of the Condominium handling or responsible for Condominium funds. Waiver of this requirement can be made by the majority vote of the Homeowners Association.

Section 13. Compensation. No Administrator shall receive Any compensation from the Condominium for acting as such;

Section 14. Conduct of Meetings. The President shall preside over all meetings of the Board of Administrators and the Secretary-Treasurer shall keep a Minute Book of the Board of Administrators, recording therein all resolutions adopted by the Board of Administrators and a record of all transactions and Proceedings occurring at such meetings. Roberts Rules of Order shall govern the conduct of the meetings of the Board of Administrators when not in conflict with the Declaration, these By-Laws or the Nebraska Condominium Act.

Section 15. Order of Business. The order of business at annual meetings, and, as far as practical, at other Co-Owners' meetings, shall be:

- (a) Calling of the Roll
- (b) Proof of Notice of Meeting or Waiver of Notice
- (c) Reading of Minutes
- (d) Reports of Officers
- (e) Reports of Committees
- (f) Election of Directors
- (g) Old Business
- (h) New Business
- (i) Adjournment

Section 16. Liability of the Board of Administrators. The members of the Board of Administrators shall not be liable to the Co-Owners for any mistake of judgment, negligence, or otherwise except to the extent that any loss is covered by insurance.

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ARTICLE IV

Officers

Section 1. Designation. The principal officers of the Condominium shall be the President, the Vice President, and the Secretary-Treasurer, all of whom shall be elected by the Board of Administrators. The Board of Administrators may appoint an assistant treasurer, an assistant secretary and such other officers as in its judgment may be necessary. The President and Vice President shall be members of the Board of Administrators. Any other officers may be, shall not be required to be, members of the Board of Administrators.

Section 2. Election of Officers. The officers of the Condominium shall be elected annually by the Board of Administrators at the organization meeting of each new Board of Administrators and shall hold office at the pleasure of the Board of Administrators.

Section 3. Removal of Officers. Upon the affirmative vote of a majority of the members of the Board of Administrators, any officer may be removed, either with or without cause, and his successor may be elected at any regular meeting of the Board of Administrators called for such purpose.

Section 4. President. The President shall be the chief executive of the Condominium. He shall preside at all meetings of the Association of Co-Owners and of the Board of Administrators. He shall have all of the general powers and duties which are incident to the office of president of a stock corporation organized under the Business Corporation Act of the State of Nebraska, including, but not limited to, the power to appoint committees from among the Co-Owners and others from time to time as he may in his discretion decide is appropriate to assist in the conduct of the affairs of the Condominium.

Section 5. Vice President. The Vice President shall assist the President and take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice President is able to act, the Board of Administrators shall appoint some other member of the Board of Administrators to act in the place of the President, on an interim basis. The Vice President shall also perform such the Board of Administrators or by the President.

Section 6. Secretary-Treasurer. The Secretary-Treasurer shall keep the minutes of all meetings of the Association of Co-Owners and of the Board of Administrators; shall have charge of such books and papers as the Board of Administrators may direct; shall have the responsibility for Condominium funds and securities; shall be responsible for keeping full and accurate finan-

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cial records and books of account showing all receipts and disbursements, and for the preparation of all required financial data; shall be responsible for the deposit of all monies and other valuable effects in the name of the Board of Administrators, or the Managing Agent, in such depositories as may from time to time be designated by the Board of Administrators, and he shall, in general, perform all the duties incident to the office of secretary and treasurer of a stock corporation organized under the Business Corporation Act of the State of Nebraska.

Section 7. Amendments to Declaration. The President and Secretary may prepare, execute, certify and record amendments to the Declaration on behalf of the association, subject to these By-laws, the Declaration and the provisions of the Nebraska Condominium Act, Neb. Rev. Stat. §76-825 to 76-894 (Cum. Supp. 1984).

Section 8. Agreements, Contracts, Deeds, Checks, etc. All agreements, contracts, deeds, leases, checks and other instruments of the Condominium shall be executed by such person or persons as may be designated by the Board of Administrators.

Section 9. Deposits. All funds of the Association shall be deposited from time to time to the credit of the Association in such banks, trust companies or other depositories as the Board of Administrators may select.

Section 10. Acceptance of Gifts. The Board of Administrators may accept, on behalf of the Association, any contribution, gift, bequest or other property for the general purposes or for any special purpose of the Association.

Section 11. Compensation of Officers. No officer shall receive any compensation from the Condominium for acting as such.

Section 12. Auditing. The books and accounts of the Association shall be audited annually by a certified public accountant.

Section 13. Books and Records. The books, records and papers of the Association shall be subject to inspection by any Co-Owner during reasonable business hours.

ARTICLE V

Committees

Section 1. Committees of Administrators. The Board of Administrators, by resolution adopted by a majority of the Administrators in office, may designate and appoint one or more committees, each of which shall consist of two or more Administrators, which committees, to the extent provided in said resolu-

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tion, shall have and exercise the authority of the Board of Administrators in the management of the corporation; provided, however, that no such committee shall have the authority of the Board of Administrators in reference to amending, altering or repealing the By-Laws; electing, appointing or removing any member of any such committee shall have the authority of the Association; adopting a plan of merger or adopting a plan of consolidation with another Association; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the Association; adopting a plan for the distribution of the assets of the Association; amending, altering or repealing any resolution of the Board of Administrators which by its terms provides that it shall not be amended, altered or repealed by such committee; nor do any other act by which the law authorizes action only by the Board of Administrators. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Administrators, or any individual Administrator, of any responsibility imposed upon it or him by law.

Section 2. Other Committees. Other committees not having and exercising the authority of the Board of Administrators in the management of the corporation may be designated by a resolution adopted by a majority of the Administrators present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be members of the Association, and the President of the Association shall appoint the members thereof. Any member thereof may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Association shall be served by such removal.

Section 3. Term of Office. Each member of a committee shall continue as such until the next annual meeting of the members of the Board of Administrators and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

Section 4. Chairman. One member of each committee shall be appointed chairman by the person or persons authorized to appoint the members thereof.

Section 5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 6. Quorum. Unless otherwise provided in the resolution of the Board of Administrators designating a committee, thirty percent (30%) of the whole committee shall constitute a quorum, and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

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Section 7. Rules. Each committee may adopt rules for its own government not inconsistent with these By-Laws, or with rules adopted by the Board of Administrators.

ARTICLE VI

Miscellaneous

Section 1. Definitions. The terms used in these By-Laws are defined as they are in the Declaration, except as otherwise specified herein.

Section 2. Notices. All notices, demands, bills, statements or other communications under these By-Laws shall be in writing and shall be deemed to have been duly given if delivered personally or if sent by mail, first class, postage prepaid:

- (a) if to a Co-Owner, at the address which the Co-Owner shall designate in writing and file with the Secretary-Treasurer, or if no such address is designated, at the address of the Unit of such Co-Owner, or
- (b) if to the Association of Co-Owners, the Board of Administrators or the Managing Agent, at the principal office of the Managing Agent or at such other address as shall be designated by notice in writing to the Co-Owners pursuant to this section.

Section 3. Invalidity. The invalidity of any part of these By-Laws shall not impair or affect in any manner the validity, enforceability or effect of the balance of these By-Laws.

Section 4. Captions. The captions herein are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope of these By-Laws, or the intent of any provision thereof.

Section 5. Gender. The use of the masculine gender in these By-Laws shall be deemed to include the feminine gender, and the use of the singular shall be deemed to include the plural, whenever the context so requires.

ARTICLE VII

Amendments.

Section 1. Amendments. Except as otherwise provided in this Section, these By-Laws may be modified or amended by a majority vote of the Co-Owners at any regular or special meeting of the Association of Co-Owners. Notice of the proposed amendment

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449 451

Handwritten initials

LANCASTER COUNTY, NEBR.

Dan Gallo
REGISTER OF DEEDS

1986 OCT 23 AM 10:41

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