

Hills Farm Lake East Homeowners Association, Inc.

Rules and Regulations of the Hills Farm Lake East Subdivision

Effective _____, 2024

All Hills Farm Lake East Homeowners Association, Inc. Members, Lot Owners, residents or occupiers of Lots (or any new re-plats thereof) are responsible for ensuring that they and their guests understand and abide by the Rules and Regulations of the Hills Farm Lake East Subdivision, including the Hills Farm Lake Development, the lakes and all property, common area, and environs included therein. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Subdivision's Declaration of Covenants filed on _____, 2024 (the "Covenants") or in the Association's Bylaws dated _____, 2024 (the "Bylaws"), as the same may be amended or restated from time to time.

Disregard for and abuse of these Rules and Regulations are grounds for suspension of privileges to use the Lake or any other Common Facility.

ARTICLE I. VIOLATIONS OF RULES AND REGULATIONS AND FINES/PENALTIES

1.1 The permission, authorization or participation in any way in the violation of these Rules and Regulations by any Lot Owner or Lot Owner's immediate family member, guest, or invitee may be grounds for revocation of the Lot Owner's rights and privileges. In addition, privileges may be revoked until the set charge or fine has been paid and until a written application for reinstatement has been made to and approved by the Board of Directors of the Association. The Board of Directors shall issue fines and other punishments for any rule violations in their sole discretion and in the furtherance of the goals of the Subdivision and the enjoyment and safety of all Lot Owners. Punishments may include warnings, fines, reprimands, loss of Lake privileges, and for repeated and severe violations, revocation of a dock easement. Any punishments issued by the Board may be overturned by a vote of the Association members as outlined in the Association's bylaws.

1.2 These Rules and Regulations are designed to give Lot Owners a common understanding for expected behavior and to help maintain a safe environment for all Lot Owners and guests. There will be times when a Lot Owner is exhibiting poor judgment and placing themselves or other Lot Owners, guests and families at risk of harm and yet not actually breaking any specific rule(s). Additionally, Lot Owners, from time to time, may break a rule without risk of harming anyone or causing problems to other Lot Owners. The Association's Board of Directors and all Lot Owners should take into account, when reporting infraction(s), whether infractions truly exhibit negligent behavior or are a technical violation of the rules and regulations.

Additionally, it is assumed that Lot Owners will try to directly communicate observed violations and resolve minor grievances with other Lot Owners before taking these grievances to the Association Board of Directors.

1.3 If a Member of the Association wishes to report an observed violation of these Rules and Regulations, a written complaint should be filed with the Board of Directors. This written complaint may be shared with others in the Association. The complaint should include:

1. The date and time of the violation.
2. The nature of the violation.
3. The lot number and name of the violator, if known.
4. Pictures and videos evidencing the violation, if possible.

ARTICLE II. GUESTS, SAFETY, AND INSURANCE

2.1 Responsibility for Guests. All Lot Owners and any other person or entity using or entering the Subdivision, including all persons in the Subdivision through the acts or omissions of a Lot Owner, shall be responsible for taking reasonable steps to ensure the safety of all Lot Owners and guests. Any condition or obstruction within the Subdivision that may pose a risk of safety to the Lot Owners or their guests shall be reported to the Association's Board of Directors immediately. Furthermore, each Lot Owner shall take reasonable steps to warn or otherwise abate the condition or obstruction until the Board of Directors has had time to address the situation.

2.2 Liability Insurance Coverage. All Lot Owners are required to maintain an umbrella liability policy with coverage of at least two million dollars (\$2,000,000) that provides coverage of all potential liability exposure the Lot Owner may have with regard to property, vehicles, and watercraft. Lot Owners shall have written confirmation from their insurance carrier that all personal watercraft, boats, ATVs, golf carts, and other motorized vehicles are covered by a primary insurance policy and by the umbrella policy. Proof of insurance in the form of a current policy declarations page issued by the company shall be provided to the Association upon request.

ARTICLE III. DESIGN REVIEW BOARD

3.1 Improvements Requiring Approval. Any Improvements to any Lot must be approved by the Design Review Board prior to commencement of construction of the same. For purposes of these Rules and Regulations, an "Improvement" includes, but is not limited to, a residence (including an addition to a residence), outbuilding, driveway, patio, patio enclosure, dock, retaining walls, landscaping, or other external improvements above or below ground.

3.2 Design Review Board. Prior to constructing or installing any Improvement (as defined above) at Hills Farm Lake East, Lot Owners must receive written approval from the Design Review Board in accordance with the procedures set forth in Article II of the Covenants. Failure to receive written approval could result in the removal or modification of Improvements at the Lot Owner's expense.

ARTICLE IV. LAKE RULES

4.1 Lot Owners must comply with the following Lake rules as well as the Lake restrictions set forth in the Covenants, as the same may be adopted or revised from time to time.

4.2 All watercraft or ATVs operating on the Lake or within the Subdivision must comply with all applicable laws, regulations, ordinances, and these Rules and Regulations.

4.3 **Guest boats or other watercraft are not allowed on the Lake. There are no exceptions to this rule.** Only watercraft owned, stickered, and under the control of Hills Farm Lake East residents will be allowed in the water. In order to prevent zebra mussels and other invasive species, any watercraft that needs access to the Lake after Memorial Day must be cleaned by a certified Hotzy Dealer and then must sit in a spot at the Subdivision designated by the Association's Board of Directors, on a trailer, for twenty-one (21) days prior to launch. Beginning the day after Memorial Day, there will be a second lock put on the chain at the boat launch. A few Hills Farm Lake East residents have agreed to possess the second key and will open it for boats only after the 21-day moratorium has been met. Exceptions to this policy will be rare, and then only after documentation that the watercraft was not, and could not have been, in any water other than Hills Farm Lake East (watercraft serviced and tested in water before being returned to Hills Farm Lake East will be construed to have been in "other" water). Any further exceptions will only be approved when analyzed by a committee made up of Hills Farm Lake East residents and Hills Farm Lake East board members.

4.4 Anyone intending to install a boat dock or lift must submit a plan to the Design Review Board as early as possible. No dealer owned boats or trailers that are normally used to install docks/lifts will be allowed in the Lake. It is suggested that in the event a watercraft is necessary for installation, that the dealer use the boat of the homeowner installing the dock/lift. It is assumed that new docks/lifts will be mostly assembled at the lot. The risk of Zebra Mussel infestation is significantly associated with dealer boats and trailers that travel from water to water. Therefore, in an effort to protect our most valuable asset, no dealer boats or trailers will be allowed at Hills Farm Lake East. Every Lot owner's watercraft must have a dedicated trailer for that watercraft to minimize the risk of Zebra mussel infestation. Watercraft may only be launched from the boat launch, and shall not be placed in the Lake in any other manner.

4.5 No watercraft shall be equipped with sanitary facilities of any kind which are capable of directly discharging into the water.

4.6 Jet skis and Boats with Inboard, Inboard-Outboard, and Outboard motors are allowed, subject to limitations as set forth in these Rules and Regulations. Maximum boat length is 23 feet, and shall be no taller than 8 ½ feet above the waterline. Jet boats and Airboats are prohibited. It is required that engines on boats and jet skis be four-stroke or compliant two-stroke. Stand-up jet skis are the exception to this rule. Additional gross weight restrictions for watercraft are attached hereto as Exhibit "A". Prior to a Lot Owner's watercraft being allowed into the Lake, said Lot Owner must fill out and submit the form attached hereto as Exhibit "B" to the Association's Board of Directors for approval.

4.7 All watercraft must display a Hills Farm Lake East decal and Lot number

prominently on the left (port) and right (starboard) sides. Lot number stickers shall be at least 3 inches high and contrast with the color of the watercraft. Lot number stickers must meet size specifications as determined by the Board of Directors from time to time. Unless otherwise specified by the Board of Directors, all jet skis shall display the owner's Lot number in 6-inch high black numbers on a white background on both sides of the jet ski. The Lot numbers must be clearly visible.

4.8 No boat motors may be altered or modified from their original factory production standards to increase their performance or horsepower. Watercraft using Captain's Call or other non-muffled exhaust is not permitted.

4.9 Speed in the launching, shore, bay and dock areas is always No Wake. Speed on the Lake from ½ hour after sunset to sunrise is No Wake.

4.10 All boating or watercraft operation will be in a counterclockwise direction as outlined on Exhibit "C" Boat Traffic Pattern Map attached hereto. Only with extreme caution and yielding the right of way to all skiers and other boats shall a boat operator cut across the Lake. All hot dogging, abrupt turns, spins, jumping, etc. are prohibited. This rule applies to jet skis as well as boats pulling tubers. Double-ups (making a sharp turn and re-crossing one's wake to create a bigger wake) are not allowed.

4.11 See Exhibit "C" for channels designated for water skiing and wake-boarding. In this case, these Lot Owners are required to move through the channel in a straight efficient manner that causes the least disruption to skiers and wake-boarders, and at a speed no greater than 30 MPH.

4.12 Wake surfing is only allowed between the hours of 12:00 p.m. and 5:00 p.m. Wakeboarding is not allowed until after 10:00 a.m. Those towing wake surfers and wakeboarders are required to maintain a 300-foot distance from the outside shoreline (shoreline to the driver's right hand side).

4.13 Watercraft must not follow a person being towed at a distance closer than 300 feet. Watercraft traveling faster than No Wake shall not travel within one hundred feet of another boat.

4.14 Except as otherwise noted, all watercraft and persons pulled by boats must remain a minimum of 50 feet from the shoreline, boatlifts, and docks except when the watercraft is leaving or returning to shore. It is assumed that good judgment will be used in these situations.

4.15 Downed skiers/riders/tubers have the right-of-way at all times.

4.16 All boats must use appropriate lights if on the Lake at night; **provided, however, that no watercraft may operate on the Lake with its docking lights on.**

4.17 Sailboats, canoes, rowboats, paddleboats, any vessel not operating under mechanical power, any anchored vessel, and swimmers always have right of way over any vessel operating under mechanical power.

4.18 Towlines may not exceed 75 feet in length.

4.19 There are several NO WAKE zones at Hills Farm Lake East. NO WAKE means all watercraft shall operate at idle speed (less than 5 miles per hour) in these areas

4.20 Buoys, platforms, diving floats, trampolines etc. shall not be placed at Hills Farm Lake East without prior written approval from the Design Review Board. Any said items placed without approval will be removed. No watercraft, skier or wakeboarder should ever go inside a buoy. Fines will be assessed if this activity is observed.

4.21 Use extreme caution when the Lake is icy.

4.22 The boat ramp gate must remain locked at all times. Any boats, watercraft, docks, lifts and dock or lift parts must not have been in any other lakes within the previous 6 months. If these items have been in any other body of water within the above time frame, they must be certified “clean” by an approved boat dealer and then quarantined on site for 21 days as set forth above. Failure to abide by this rule may subject you to the loss of lake privileges for up to 12 months.

4.23 The hours of operation for Jet skis is 10:00 am – 6:00 pm.

4.24 Jet skis may tow skiers, wakeboarders, knee boarders, or tubes, but you must have a driver and a spotter to tow anyone at any time.

4.25 No watercraft shall be allowed to be beached and tied to a post or structure on the Lot owner’s beach. All watercraft are required to be tied securely to a dock or secured to an approved lift system. If a Lot Owner’s watercraft that is tied to a dock breaks away for any reason, the owner may be required to install a lift system to minimize this risk in the future.

4.26 No objectionable or loud music shall be played on watercraft after 10:00 p.m.

ARTICLE V. SWIMMING

5.1 Swimming across the Lake is prohibited. Diving into the lake headfirst is prohibited.

5.2 Swimming at the boat launching area is prohibited.

5.3 The 40-foot area adjoining the residential lots is reserved for swimming.

5.4 Scuba diving in the Lake is not permitted.

ARTICLE VI. FISHING

6.1 Set lines or unattended fishing poles are prohibited at Hills Farm Lake East.

6.2 Any violation of the fishing rules and regulations may result in a fine or loss of

fishing privileges. The Association Board will determine the penalty based on the circumstances of the violation. The minimum fine that may be assessed by the Board for a fishing violation is \$200.

6.3 Additional Fishing Regulations will be distributed to the Lot Owners under separate title, and are posted on the Association's Website

ARTICLE VII. AUTOMOBILES, ATV'S, GOLF CARTS, AND OTHER VEHICLES AND TRAILERS

7.1 Automobiles, ATV's with at least four wheels, and golf carts are allowed on the roads and other Association property. All other motorized vehicles are prohibited. ATV's and Golf carts must be marked with Hills Farm Lake East decals and lot number. High speed ATV's are not allowed at Hills Farm Lake East (to avoid confusion check with the Hills Farm Lake East Homeowners Association Board prior to purchasing any ATV). Automobiles and pickup trucks are not allowed off-road in the common areas at Hills Farm Lake East.

7.2 All motorized vehicles, golf carts, automobiles, and ATV's operating within the Subdivision must comply with all applicable laws as well as these Rules and Regulations. No person shall be allowed to operate an ATV unless they are at least 16 years of age or show proof of ATV operator certification.

7.2 Motorized vehicle, ATV, and E-Bike speed limit is 25 MPH on Hills Farm Lake East Property. This speed limit applies to all vehicles on all roads AND also applies to all vehicles off-road in the common areas. Loud vehicles are not permitted and stock mufflers (read: quiet) are required. At no time, should these vehicles be used in a manner that creates excessive noise or is a hazard to residents. Motorized vehicles traveling on Hills Farm Lake East Property need to beware that non-motorized forms of travel (walkers, runners, bikers, roller-bladers, etc.) utilize the roads and common areas day and night. Those operating motorized vehicles should be courteous and ever vigilant of these folks on the Property.

7.3 Headlights and taillights must be operational after dark on all motorized vehicles. Discretion should be used when operating these vehicles at night. Those operating motorized vehicles after dark should be courteous and make sure they are operating their vehicles in the safest and quietest manner possible.

7.4 No camper, auto-drawn or mounted trailer of any kind, mobile home, conversion van, camper truck or similar chattel may be used, stored, or maintained on any part of a Lot or any of the Common Areas without the express prior written approval of the Board of Directors. Based upon the concerns of numerous homeowners to maintain a strong vacation home atmosphere, the Board is not likely to grant approval for any requests to use a camper, motorhome or other similar structure for daytime camping or other similar activities.

7.5 Each Lot Owner is allowed the following watercraft / recreational vehicles at Hills Farm Lake East:

- 2 - Boats
- 1 – Jet Ski
- 1 – Golf Cart
- 1 – ATV

No other motorized watercraft of any kind shall be allowed.

7.6 ATVs that are capable of attaining speeds in excess of 50 mph are not allowed at Hills Farm Lake East. The hours of operation for ATV's off-road is 10:00 am – 7:30 pm (or sunset, if sunset is before 7:30 pm). Any operation outside the permitted time must be confined to the roadway. All ATVs shall have fiberglass rod with an orange flag extending at least five feet (5') above the ATV for visibility.

ARTICLE VIII. MISCELLANEOUS RULES

8.1 Noise rising to the level of a nuisance shall be prohibited. Pets must be under control at all times, and shall be on a leash when not located at their home Lot.

8.2 Lot Owners must comply with the Lake restrictions set forth in the Declaration of Covenants as adopted or revised from time to time.

8.3 All watercraft or ATVs operating on the Lake or within the Subdivision must comply with all applicable laws, Regulations, ordinances, and these Rules and Regulations.

8.4 Hunting is not allowed at Hills Farm Lake East. Fishing regulations will be distributed to Lot Owners under separate title.

ARTICLE IX. LIABILITY

The Association (including any individual acting under the authority of the Association) is not liable for any damages and/or injuries sustained while guests are using the Association facilities or on Association property.

ARTICLE X. BINDING EFFECT

These Rules and Regulations shall be binding on all Lot Owners and any person or entity using the Lake or any other Common Facility, and may be changed or amended by a written majority vote of the entire membership as provided for in the Association's Bylaws. The number of votes which each Lot Owner is entitled to is as set forth in the Declaration of Covenants and the Association's Articles of Incorporation. These Rules and Regulations may also be changed or amended by a majority vote of the Association's Board of Directors. In the event of any

conflict, a rule change or amendment enacted by the Lot Owners as outlined above shall have priority and binding effect over any conflicting rule or regulation adopted by the Board of Directors.

IN WITNESS WHEREOF, the Association has caused these Rules and Regulations of the Hills Farm Lake East Subdivision to be duly executed and adopted this ____ day of _____, 2024.

Hills Farm Lake East Homeowners Association, a
Nebraska nonprofit corporation

By: _____
_____, Director and President

Roger Severin, Director and Vice President

_____, Director

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Exhibit A

Weight Limitations for Watercraft

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Exhibit B
Boat Approval Form

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Exhibit C
Boat Traffic Map

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