

**MEDELMANS LAKE HOMEOWNERS ASSOCIATION, INC.**

**RULES AND REGULATIONS FOR MEDELMANS LAKE SUBDIVISION**

All Medelmans Lake Homeowners Association, Inc. members, owners, residents, lessees, occupiers of all platted Lots in Medelmans Lake Subdivision and any new replats or additions thereto are responsible for ensuring that they and their guests understand and abide by the Rules and Regulations of the Medelmans Lake Subdivision. **DISREGARD FOR AND ABUSE OF THESE RULES AND REGULATIONS ARE GROUNDS FOR SUSPENSION OF PRIVILEGES TO USE THE LAKE OR ANY OTHER COMMON FACILITY OR AREA OR VOTING PRIVILEGES.** Terms capitalized herein assume the same definition and meaning as they have in the Declaration of Covenants, Conditions, Restrictions and Easements for Medelmans Lake Subdivision filed with the Recorder of Deeds, Madison County, Nebraska.

The Declarant and Declarant's appointee have established the Lake Rules and Regulations for use of the Lake and Common Areas by the Owners and their guests. At the time Owner purchases a Lot, the Owner shall receive the lake Rules and Regulations for the use of the Lake and Common Areas, and will acknowledge receipt of such Rules and Regulations by executing the appropriate receipt. All Owners and their guests are hereby notified that they are bound by the Rules and Regulations for the use of Lake and Common Areas established by the Declarant and Declarant's appointee and/or Association, as such rules are not stated and amended from time to time, and the provisions of the Declaration of Covenants, Conditions, Restricts and Easements for Medelmans lake Subdivision.

These Rules and Regulations are designed to give Owners a common understanding for expected behavior and to help maintain a safe environment for all Owners and guests. There will be times when an Owner is exhibiting poor judgment and placing themselves or other Owners, guests and families at risk of harm and yet not actually breaking any specific rules(s). Additionally, Owners, from time to time, may break a rule without risk of harming anyone or causing problems to other Owners. The Association's Board of Directors and all 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 Owners will try to directly communicate observed violation(s) and resolve minor grievances with Owners before taking these grievances to the Association Board of Directors.

Declarant, Declarant's appointee, employees or anyone acting on behalf of Declarant, the Association, or individuals acting under the authority of the Association, is not liable for any damages and/or injuries sustained while guests or Owners are using the Association facilities, the Lake, or Association property.

If a member of the Association wishes to report an observed violation(s) of the 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 or those acting on behalf of the Association. The complaint should include: (1) the date and time of the violation(s); (2) the nature

of the violation(s); (3) the lot number and name of violator, if known; (4) the name and lot number of party filing the complaint.

1. All boats and other personal watercraft operating on the Lake must comply with all the Lake Rules and Regulations as well as all Regulations established by the State of Nebraska for boating and operating a personal watercraft.
2. Lot Owners must comply with the Lake restrictions set forth in the Covenants (Declaration) as adopted or revised from time to time.
3. All boats, and other personal watercraft must be owned by Lakeside or Off-Lake Lot Owners, registered with the Association and contain the appropriate and current Association sticker. All boats and personal watercraft must display the Owner's Lot number and the Association sticker on the upper right aft (rear) side of the watercraft. Stickers can be obtained from the Association with proof of current registration, proof of liability insurance and current dues.
4. Each Lakeside Lot Owner may own two boats and two personal watercraft per Lot owned. Each Off-Lake Lot Owner may own one boat and one personal watercraft per Lot owned.
5. Outboard motors are allowed. Air boats, Jet Powered Boats, Jet Powered Personal Watercraft, boats with Above Water Exhaust Systems, are prohibited.
6. Boats speeding on the Lake are prohibited. Maximum speed limit is 35 MPH. Speed within fifty (50) feet of the launching area, shore and dock areas is always NO WAKE (5 MPH).
7. NO WAKE (5 MPH) rule will be enforced on the entire Lake from the period of one half hour after sunset to one half hour before sunrise. Nothing can be towed during this period (towables, skiers, etc.).
8. All traffic, including those being pulled or towed, must maintain a minimum of fifty (50) feet from the water's edge.
9. Boats and personal watercraft shall be operated in a counter-clockwise direction around the Lake as far as is practicable.
10. When exiting coves, or dock areas, boats must yield to oncoming traffic.
11. 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.

12. It is unlawful to allow any child less than 13 years of age onboard any vessel when not wearing a U.S. Coast Guard approved life preserver.
13. No one under the age of 14 years shall operate a motor boat of any class at any time.
14. As of January 1, 2004, any motorboat operator between the ages of 14 and 18 must complete a Boating Safety Course and be in possession of a course certificate when operating a boat. The only acceptable course for those under 18 in Nebraska' 6-hour classroom course with a proctored exam. The passing score is 75%.
15. All boats must have an efficient whistle or other mechanical sound producing device. Horn.
16. It is prohibited to stand or sit on the side, side, or rear edge of a moving power boat.
17. Sailboats, canoes, rowboats, any vessel not operating under mechanical power, any anchored vessel, downed skiers/tubers, and swimmers ALWAYS have the right of way.
18. No one under the age of 16 can tow tubers or skiers, wakeboarders, or other towables.
19. All persons being towed MUST wear life jackets.
20. All boats towing any device must have an orange warning flag on board and display it only when the person being towed is down.
21. Boats with a downed passenger being towed should turn around ONLY while turning into or toward shore in order to pick up their skier.
22. Boats and watercraft of any kind must not operate between a downed skier or towable and the towing boat. Tow lines must not exceed 75 feet.
23. All boats with a tow must have a mandatory spotter, 13 years or older.
24. Boats or other watercraft must not follow a boat with a tow closer than 300 feet. Do not tailgate behind boats.
25. On holidays, residents only may operate motorized watercraft.
26. All boats must use appropriate lights on the Lake at night. All boats and watercraft operating later than sunset or earlier than sunrise must have the proper fore (bow) and aft (stern running lights).

27. Chasing waterfowl with powered water vehicles is prohibited and is reason to lose Lake Privileges.
28. Buoys, platforms, diving floats, trampolines etc. shall not be placed at Medelmans Lake without prior written approval from the Committee, and/or Association. Any said items placed without approval will be removed. No watercraft, skier, wakeboarder, tuber, towable, should ever go inside a buoy.
29. Swimming across the Lake is prohibited. Swimming at the boat launching area is prohibited.
30. The 40-foot area adjoining the Lake Front residential lots is reserved for swimming.
31. Scuba Diving is allowed only by prior written special permit from the Association. All scuba divers must use a flag while diving. All watercraft of any kind must stay 75 feet from this flag.
32. Use EXTREME CAUTION when the Lake is icy.
33. Any Owner, or Owner's guest, who is convicted of a crime of operating a boat or other motorized watercraft under the influence of alcohol or other controlled substance, shall not be permitted to operate a boat or other motorized watercraft on Medelmans Lake for one year from the date of the conviction.
34. 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 Owners will be allowed in the water. A period of set dates will be set out each year and distributed to each Lakeside Owner for the time period allowed to launch boats and watercraft into the Lake in the spring and for removal in the fall. Any watercraft that needs access to the Lake after the set "launching period", for Owner watercraft, must sit in a designated spot at the Lake on a trailer, for fourteen (14) days prior to launch. 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 Medelmans Lake (watercraft serviced and tested in water before being returned to Medelmans Lake will be construed to have been in "other water"). This is not to keep watercraft out of the water; this is to minimize the risk to all Owners of an unwanted Zebra Mussel infestation of the Lake. Anyone intending to install a boat dock or lift must submit a plan to the Committee 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 Owner 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 Medelmans Lake. We realize this may

cause some hardships to those who do not own their own boat trailers. If you do not have a trailer, Owners are suggested to consider purchasing their own trailer or agreeing to share a trailer that is only exposed to the water at Medelmans Lake. Watercraft may only be launched from the boat launch, and shall not be placed in the Lake in any other manner.

35. Each Lakeside Lot Owner is allowed the following watercraft/recreational vehicles at Medelmans Lake: Two (2) boats; Two (2) jet skis or personal watercraft; Two (2) ATV; Two (2) Golf Cart. Each Off-Lake Lot Owner is allowed the following: One (1) boat; One (1) jet skis or personal watercraft; Two (2) ATV; Two (2) Golf Cart. Not all Off-Lake Lots will have access to Lake.
36. When crossing the Beach Easement Area, a 5 MPH speed limit will be enforced
37. ATVs that have a top speed that exceeds 50 MPH are not allowed.
38. ATVs and Golf Carts must display the Lot Number and Association Sticker on it. ATVs and Golf Carts need to beware that non-motorized forms of travel (walkers, runners, bikers, roller-bladers, etc.) utilize common areas day and night. Those operating ATVs and Golf Carts should be courteous and ever vigilant of these folks on property. Nonmotorized form of travel always has the right of way.
39. Headlights and taillights must be operational on ATVs and Golf Carts after dark. Discretion should be used when operating these vehicles at night. Those operating ATVs and Golf Carts after dark should be courteous and make sure they are operating ATVs and Golf Carts in the safest and quietest manner possible.
40. Boat Sizes and Horsepower:
  - Pontoon Boats. Maximum advertised manufacturer's pontoon length of less than 27 feet.
  - Inboard & V Drive (wake board boats) Ski Boats. Maximum advertised manufacturer's length of less than 23 feet 1 inch.
  - Inboard/Outboard Ski Boats. Maximum advertised manufacturer's length of less than 24 feet 1 inch as measured from bow tip to drain plug and must be 4 stroke.
  - Outboard Boats. Maximum advertised manufacturer's length of 20 feet. All outboard engines must be 4 cycle.
  - Jet skis personal watercraft. All jet skis or personal watercraft must be 4 stroke.
- The basis of these clarifications are to insure boater's safety and minimize erosion. While horse power is not being limited, the speed limit of 35 MPH will be strictly enforced.
41. All boats must have a U.S. Coast Guard – approved life saving device of Type I, II, or III for each person on board. In addition, every vessel shall carry at least one U.S. Coast Guard-approved throwable flotation device (Type IV).

42. All ATVs shall have factory installed mufflers, NO straight pipes or racing mufflers allowed.
43. The Committee shall approve the type, design, and location of all docks/lifts. Floating docks/lifts are recommended.

**DOCKS:**

Each Lakeside Lot will be allowed a maximum of one (1) dock with two (2) slips.

Maximum length in water is thirty five (35) feet and shall not exceed fifteen (15) feet in width unless approved in writing prior to placement in water by Committee.

Material for construction shall be rust resistant (aluminum, galvanized steel), walking surface may be made of wood. All docks, including materials for construction must be approved by Committee prior to placement in water.

**LIFTS:**

Each Lakeside Lot will be allowed a maximum of two (2) lift stations.

Floating or stationary but must approved by Committee prior to placement in water.

Material for construction shall be aluminum or galvanized steel (not painted).

All canopies need to be gray, white, beige or earth-tones in color and approved by Committee.

Maximum length in water shall be thirty feet (30').

**BUBBLERS:**

Bubblers shall be allowed in the water during the winter months, but size of bubbler to be approved by Committee.

44. No live minnow or other live fish type of bait allowed for fishing. Unauthorized restocking of fish is prohibited.
45. These Rules and Regulations shall be binding on all Lot Owners, Lessees, Permittees, Guests, and any other person or entity using the Lake or any other Common Facility, and may be changed or amended by a majority vote of the Association's Board of Directors.
46. There shall be a punitive system for violations of these Rules and Regulations. Should any Lot Owner, Lessee, Lot Owner's immediate family member, guest, or invitee, permit, authorize, or participate in any way in the violation of these Rules and Regulations, this 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 written application for reinstatement has been made to and approved by the Board of Directors of the Association. The Board shall issue fines and other punishments for any rule violation(s) in their sole discretion and in furtherance of the goals of the Subdivision and the enjoyment and safety of all Lot Owners. Punishments may include, but are not limited to, warnings,

finer, reprimands, loss of Lake Privileges, and for repeated and/or sever violations, revocation of a dock easement and voting rights.