

VALLEY SHORES LAKE ASSOCIATION

CONDITIONS, RESTRICTIONS, SAFETY RULES, AND REGULATIONS

All Valley Shores Lake Association members and/or residents of lots 1 thru 140 and lot 142 (or any new replats thereof), are responsible for ensuring that they and their guests understand and abide by the following rules and regulations. Disregard for and the abuse of regulations is grounds for suspensions of Valley Shores Lake Association (VSLA) privileges.

Valley Shores Lake Association or individuals acting under the authority of the Association are not liable for any damages and/or injuries sustained while guests are using the (VSLA) facilities.

When a resident member observes a violation, the Valley Shores Lake Association (VSLA) asks that the violation be reported to the (VSLA) Board in writing. This written complaint will be confidential and on file in the event that further action is necessary. The complaint should state:

- A. The nature of the violation
- B. The date and time of the violation
- C. The lot number and name of the violator, if known
- D. Signed by the Association member

Serious safety violations of Douglas County or Nebraska State law should be called immediately to the Douglas County Sheriff's Dept. or 911. Any personal injury or property damage involving a boat must be reported to the (VSLA) Board immediately.

I. GUEST

The member or a resident member of the family when using any of the common areas must accompany a guest. Members are accountable and liable for the actions and conduct of their guests.

II. SWIMMING / SCUBA DIVING

- A. Swimming across the main part of the lake is prohibited.
- B. The twenty-five foot (25') area adjoining the residential lots is reserved for swimming.
- C. Scuba Diving is allowed only by special permit from the (VSLA) Board and never on weekends or holidays.

- D. All scuba divers must use a flag while diving. All boats of any kind must stay seventy-five feet (75') from this flag.
- E. Golf Coarse Lots (102 – 140) and the multi-family Lot (142) will have access to swimming privileges on Outlot 2 but will not have boating privileges on Outlot 5 (The Lake).

III. LAKE RULES IN COVENANTS

Owners and members must comply with the Lake restrictions set forth in the Declaration of Covenants, Conditions, Restrictions and Easements of Valley Shores (the “Covenants”) recorded on June 7th, 2004, in Miscellaneous Record #2004073712 of the Register of Deeds, Douglas County, Nebraska. The Lake restrictions which are set forth in the Covenants are being reproduced below for your convenience. All Owners (members) must comply with both the provisions set forth in the Covenants regarding usage of the Lake and these rules.

The Restrictions set forth in the Covenants pertaining to the Lake:

1. Boats which are not in the water, boat trailers, recreational vehicles, campers and other trailers must be removed from the Owner’s Lot within 48 hours unless stored in the garage of the residence. Boats on trailers may be parked in a driveway during the 15-day period between April 15 and April 30 and October 15 and October 30 when Owners are readying their boats for usage and/or storage. Maintaining boats, boat trailers, recreational vehicles, campers and other trailers on the Owner’s Lot, other than as set forth herein, is prohibited (Article I, ¶31).
2. Boathouses are prohibited (Article I, ¶32).
3. All boats operating on the Lake must comply with all the Lake Rules and Regulations as well as Regulations established by the State of Nebraska for boating (Article IV, ¶2(a)).
4. All boats on the Lake must be owned by Lot Owners, registered with the Association and contain the appropriate and current Association sticker. No other boats shall be permitted on the Lake. All boats (powerboats, canoes, paddleboats, fishing boats, sail boats, etc.) must display the Owner’s Lot Number and the Association sticker in the size established by the Association in a visible position on the starboard AFT (right rear) side Article IV, ¶2(b)).
5. Outboard, inboard/outboard and inboard motors are allowed. Air boats, “V” drive boats, jet powered boats, jet powered watercraft classified as jet skis, wave runners, or any other jet powered personal watercraft of any brand, make or

model, weight enhancement devices and boats with above water exhaust systems are prohibited (Article IV, ¶2(c)).

6. Boat speeding on the Lake is prohibited. The Declarant and/or Association shall establish the boat speed limit on the Lake and set forth such maximum speed limit in the Lake Rules and Regulations. Speed in the launching, shore and dock areas is always NO WAKE, and on the Lake proper between sundown and sunrise, is NO WAKE (Article IV, ¶2(d)).
7. All boats and skiers, and others being pulled by a boat, must remain a minimum of fifty (50) feet from the shore and/or boat lifts and docks Article IV, ¶2(e)).
8. In addition to the above restrictions and covenants, the use of the Lake shall also be subject to the Lake Rules and Regulations, as amended time to time (Article IV, ¶2(f)).

IV. BOATS – GENERAL INFORMATION AND REGULATIONS

- A. All member boats operating on the lake must comply with all Valley Shores' safety rules and regulations as well as regulations established by the State of Nebraska.
- B. Boats belonging to guest of (VSLA) members are prohibited on the lake. Any nonmember boat found on the lake or its shores may be removed by the (VSLA) or its duly authorized agent at the expense of the owner.
- C. Any member who shall have permitted, authorized or allowed illegal use of or launching of a boat in violation of the rules, regulations or restrictions in connection with (VSLA), and/or documents recorded at the Douglas County courthouse, shall have their rights and privileges as a Valley Shores member revoked and the set charge or fine has been paid and until a formal application for reinstatement has been made to and approved by the (VSLA) Board. This revocation period shall run for a period of thirty (30) days from the date of the application to the Board, unless said thirty (30) day waiting period is waived by the Board of (VSLA).
- D. There is a punitive system for violation of boating rules, which is set by the (VSLA) Board. The first offense is a warning. The second offense is a \$100.00 fine. The third offense in one boating season will result in the suspension of boating privileges for the rest of the season. Reinstatement will only be after written application is made to the (VSLA) Board.
- E. All boats (power boats, canoes, paddle boats, fishing boats, sail boats, etc.) must display the member's lot number and the (VSLA) sticker in the size so set by the

Association in a visible position on the starboard aft (right rear) side. Stickers will be obtained from your (VSLA) Board with proof of current registration, proof of liability insurance and current dues.

- F. To maintain safety for participants, boats may be restricted during special events as deemed necessary by the (VSLA) Board of Directors.
- G. Only one motorized watercraft from each lot shall be operated on the water at any given time.
- H. No boat shall be equipped with sanitary facilities of any kind, which is capable of directly discharging into the water.
- I. Boat Sizes and Horsepower

Boat Approval Approval of any boat used on Valley Shores Lake shall be given first, by the Developer (Three Points Lake Development, L.L.C.) and later by the Valley Shores Lake Association.

Pontoon Boats Maximum length is twenty-two feet six inches (22'6") determined by the length of the pontoons with the deck not to extend beyond either end of the pontoons and with a maximum of 75 horsepower motor.

Outboard Boats Maximum length is eighteen feet six inches (18'6") for fishing boats with a maximum of 150 horsepower (propshaft rating) motor. Boats at or under sixteen feet (16') with a maximum of 75 horsepower (propshaft rating) motor. All outboard motors must be a 4-stroke or a Mercury Opti-Max design that meets or exceeds the EPA's emission standards for the year 2006.

Inboard/outboard Boats Maximum length is eighteen feet six inches (18'6") with a maximum of V-4/150 horsepower (propshaft rating) motor.

Boat Motors No motors may be altered or modified from their original factory production standards to increase their performance or horsepower. All motors must meet or exceed the EPA's emission standards for the year 2006.

- J. Boat speed limit on the lake proper is thirty-five (35) MPH. Speed in the launching, shore and dock areas is always NO WAKE, and on the lake proper between sundown and sunrise, is NO WAKE.

V. BOATING RULES – VALLEY SHORES

- A. All boating will be in a COUNTERCLOCKWISE direction.
- B. All boats towing water skiers, sleds, etc. must have a wide-angle rearview mirror, or an onboard observer, 13 years or older.
- C. Boats must not follow a person being towed (skier, etc.) closer than 200 feet (2/3 of a city block).
- D. All boats and skiers, etc. must remain a minimum of 50 feet from the shore and or boatlifts and docks.
- E. Boats and water vehicles of any kind must not operate between a downed skier and the towing boat.
- F. Towlines may not be towed in the water for more than 300 feet (one city block). Towlines may not exceed 75 feet in length.
- G. Boats shall be limited to a maximum of one towline at any time.
- H. Boats with a downed skier should turn around only while turning into or toward shore in order to pick up their skier.
- I. Pontoon boats shall not be allowed to pull water skiers or tubers.

VI. BOATING-STATE LAWS ENFORCED AT VALLEY SHORES

- A. Children under 12 years of age and younger must wear approved life preservers when in a moving boat.
- B. No one under the age of 18 years shall operate a motorboat of any class at any time.
- C. All boats must use appropriate lights if on the lake at night.
- D. 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.
- E. Chasing waterfowl with powered water vehicles is prohibited and is reason to lose lake privileges.

- F. All water skiers or persons being towed must wear a life jacket or approved gear while being towed.
- G. All boats pulling people must have an orange warning flag on board and show it when the person being towed is down.
- H. 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).
- I. All boats must have an efficient whistle or other mechanical sound-producing device.
- J. It is prohibited to stand or sit on the side edge of a moving powerboat.

VII. DOCKS / BOAT LIFTS / BOAT HOUSES

(VSLA) grants each waterfront lot owner the privilege to put a dock and/or boat lift in the lake in front of his or her respective lot. Therefore, for the safety of the member's family and that of all members of (VSLA), the plans for all boat docks and lifts showing their size, materials, colors and configuration, must be approved by the DRB or the Association prior to their installation.

Boat Docks allowed are those made from wood, polyethylene, vinyl, fiberglass, or aluminum or a non-rusting material and shall not extend more than twenty (20) feet into the Lake from the Owner's Lake Lot line.

Boat Lifts allowed will be those made of aluminum, such as "Shore Station-Hewitt" etc., or of a non-rusting type of material as approved by the Association, with white or gray canopy covers, or of a canopy color approved by the Association.

Boat Houses are not allowed.

**FIRST AMENDMENT TO VALLEY SHORES LAKE AND HOMEOWNERS
ASSOCIATION, INC. CONDITIONS, RESTRICTIONS, SAFETY RULES, AND
REGULATIONS FOR THE VALLEY SHORES LAKE AND COMMON FACILITIES**

THIS FIRST AMENDMENT to the Valley Shores Lake and Homeowners Association, Inc. Conditions, Restrictions, Safety Rules, and Regulations for the Valley Shores Lake and Common Facilities dated October 25, 2005 is made on the date shown on the close of this instrument, by Three Points Lake Development, L.L.C., a Nebraska limited liability company who is the Declarant under the Declaration.

WHEREAS, Declarant desires to amend the Rules and Regulations and make them subject to the following amendments to the conditions, restrictions, safety rules, and regulations set forth in the rules and regulations;

NOW THEREFORE, Declarant as majority voting right holder, as of the date shown below, shall amend the rules as follows:

1. Paragraph III, subparagraph 5 shall be amended in its entirety to read as follows:

Outboard and inboard/outboard motors are allowed. Air boats, inboard boats, "V" drive boats, jet powered boats, jet powered watercraft classified as jet skis, wave runners, or any other jet powered personal watercraft of any brand, make or model, weight enhancement devices and boats with above water exhaust systems are prohibited (Article IV, ¶2(c)).

2. Paragraph IV., subparagraph I shall be amended in its entirety to read as follows:

- I. Boat Sizes and Horsepower

Boat Approval Approval of any boat used on Valley Shores Lake shall be given first, by the Developer (Three Points Lake Development, L.L.C.) and later by the Valley Shores Lake Association.

Pontoon Boats Maximum length is twenty-two feet six inches (22'6") determined by the length of the pontoons with the deck not to extend beyond either end of the pontoons and with a maximum of 75 horsepower motor.

Outboard Boats Maximum length is eighteen feet six inches (18'6") for fishing boats with a maximum of 150 horsepower (propshaft rating) motor. Boats at or under sixteen feet (16') with a maximum of 75 horsepower (propshaft rating) motor. All outboard motors must be a 4-stroke or a Mercury Opti-Max design that meets or exceeds the EPA's emission standards for the year 2006.

Inboard/outboard Boats Maximum length is eighteen feet six inches (18'6") with a maximum of V-4/150 horsepower (propshaft rating) motor.

Inboard Boats None Allowed.

Boat Motors No motors may be altered or modified from their original factory production standards to increase their performance or horsepower. All motors must meet or exceed the EPA's emission standards for the year 2006.

- 3. Except as otherwise amended herein, all of the terms and conditions of the original Rules and Regulations shall remain in full force and effect as stated.

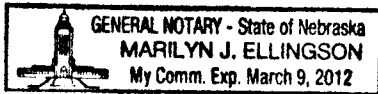
IN WITNESS WHEREOF, the undersigned, being the Declarant, hereby adopts this first amendment to the Rules and Regulations described herein on this 3rd day of June, 2008.

Three Point Lake Development, L.L.C.:

By: Frank R. Krejci
FRANK R. KREJCI, Managing Member

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

On this 3rd day of June, 2008, before me, the undersigned, a Notary Public in and for the State of Nebraska, personally appeared Frank R. Krejci, to me personally known, who being by me duly sworn, did say that he is the Managing Member of Three Points Lake Development, L.L.C. a limited liability company, executing the foregoing instrument, that the instrument was signed on behalf of the a limited liability company.



Marilyn J. Ellingson
NOTARY PUBLIC IN AND FOR SAID STATE