

HERON POINT LAKE RULES

PERSONAL

Under Article VIII, Section 1, Paragraph (a) of the By-Laws of the heron Point Lake Association, these rules are binding upon all owners and their guests. Violations by owners or their guest may result in suspension of the lake privileges. Owners and guests are required to obey the laws of the State of Nebraska.

GENERAL AREA

Hunting and the use of firearms are prohibited in the recreational area except for varmint control.

Littering of any areas is prohibited. Members shall clean up after all picnics and remove all garbage from the beach area. No one shall throw cans, bottles, or any waste material into the lake, access roads or common area. No glass containers are to be used on the beach near the lake because of broken glass causing a safety hazard. Noise from TV's, radios, etc. should be kept at moderate levels so as not to be offensive to neighbors.

HERON POINT LAKE ASSOCIATION

All lot owners automatically become members of the Heron Point Lake Association. The Association meets annually for the purpose of adopting or changing lake rules and scheduling lake events or projects. The Association members will elect six directors for the transaction of Lake business and enforcement of lake rules. The board members will serve 3-year terms. The board will elect a president, vice president and secretary/treasurer for one-year terms.

HERON POINT LAKE ARCHITECTURAL COMMITTEE

The Board of Directors will appoint an Architectural Committee comprised of three or more representatives from the lake. The chairman of the Architectural Committee shall be a board member.

BUILDING REQUIREMENTS

1. A building permit must be secured from Merrick or Polk County; whichever is appropriate, prior to construction of any structure.
2. Structures must be on permanent foundations. Walls must be framed, concrete, block, brick or stucco. Building plans must be approved by the lake Architectural Committee prior to construction.
3. Exterior construction must be completed within (2) years of signing of purchase. In order to extend the period beyond the two-year requirement, permission must be obtained from the Association Board of Directors.
4. Gabled or sloped roofs are required. Any exception must be approved by the Architectural Committee.
5. Minimum cabin size is 1200 square feet of living space on the main floor, with garages, carports and sun porches excluded.
6. Cabin exterior colors and appearance shall be of neutral color shades as to blend in with a forest background.
7. No mobile or modular (prefab) homes are allowed. However, trailers or campers may be used for temporary quarters during construction.

8. Boat docks, shore stations, piers, etc. which extend into the lake must be approved by the Architectural Committee to prevent possible boating/skiing hazards.
9. Location of well, septic tank and leach field must be approved by the Architectural Committee prior to construction. A copy of the DEQ permit must be attached.

HAULING OF SAND ONTO BEACH

Hauling sand onto the beach area in amounts greater than 30 yards must be approved by the Architectural Committee before the haul. Sand may be hauled in only to finish the top of the beach. If a lot's beach washes into the lake, any replacement sand must be pulled from the lake.

LAWNS

Avoid the use of chemical fertilizers and pesticides on lawns. When chemicals are used, use non phosphorous and use them sparingly during dry weather conditions. This will prevent rain events from introducing unwanted nutrients into the lake. Mulching mowers can decrease the amount of fertilizers lawns require and should be used by all homeowners when possible. Most mowers can be converted into a mulching mower for less than \$25 by replacing the standard blade with a mulching blade. Use common sense. Don't dump grass clippings in the lake. Don't do laundry in the lake (the primary ingredient in many detergents is phosphorous). Be aware of what drains into the lake from lawns, homes, driveways and boats.

GENERAL TRAFFIC

Always keep a minimum of one traffic lane on access roads open to cabins and free of parked cars, boat trailers or construction materials. Maximin speed for Heron Point roads is 15 mph. All vehicles must stay on the right side of the road in accordance with State law. All drivers are strongly cautioned to look out for blind corners, pedestrians and other vehicles.

NOISE

No excessive noise before 9:30 am.

RECREATIONAL VEHICLES

No All-Terrain Vehicles (ATV's) or 3&4 wheelers are permitted. Allowed exception: Such vehicles may be used for lot maintenance and trailering of boats if operated by an operator 14 years of age or older. Absolutely no ATV's allowed on roads or common areas unless it is being used for organized cleanup activities.

Golf carts are allowed. The minimum age for the operation of golf carts is 14 if accompanied by a licensed driver who is 19 years of age or older. Otherwise, drivers must be licensed and be 16 or older. Golf carts must be equipped with headlights and taillights for use after dark. It is suggested that rear view mirrors be installed. Golf carts are to be marked with lake initial and lot number.

DOGS

Dogs must be confined to their lot and must be on a leash when walked on common areas.

FISHING

Do not fish near or on the other lots without permission. State fishing rules apply to all recreational areas and game wardens have access.

SWIMMING

1. All swimming shall be done within 20 feet from the shoreline. Center of lake or across lake swimming shall be done only with a suitable life jacket, and when the lake is not being used by motorboats.
2. Non-swimmers shall not use the lake unless accompanied by a swimmer capable of making a save.

BOATING RULES

1. Use the pattern of counter-clockwise driving for all skiing and boating.
2. Obey all State boating rules. "No one under the age of 14 is allowed to tow an individual with a vessel. No one born after December 31, 1985, is allowed to operate a motorboat or personal watercraft on the waters of Nebraska unless he or she has successfully completed a boater safety course and has been issued a valid boating safety certificate"
3. Only one registered powerboat or one personal water craft (PWC) per lot may be operated on the lake at a time when the lake is busy (more than 3 boaters wanting to use the lake). **NO GUEST BOATS ARE ALLOWED!**
4. Operators of motor boats shall be (a) 14 years or older (b) 14-16 years old under continuous on-board lake supervision of lot owner after passing the boater safety course required by the State of Nebraska.
5. Any boat operator who repeatedly breaks rules or drives recklessly may lose his/her boating and/or skiing privileges for a period of up to 1 year following action by the Board of Directors.
6. No more than 3 powered watercraft of any kind may be operated on the lake at greater than 5 mph at a time.
7. Lot numbers along with the boat inspection sticker for the appropriate year must be displayed on the right side of the boat preceded by the letters HP.
8. Maximum boat lengthly for ski boats is 18'. **Maximum horsepower is 220 for I/O. Maximum horsepower for outboard is 195. Maximum length for pontoons is 25' with 115 horsepower max.** All motorboats shall have approved steering and throttling devices and be kept in good condition.
9. Absolutely no speed boating or skiing in excess of 30 mph. The west end is a wake less area. **NO SKIING.** A sign will mark the designated wake less area. Powerboats and ski boats shall not exceed 5 mph in this area. Skiing is allowed to and from lots only in the west end.
10. No wake speed must be maintained before 9:00 am and after sunset. Powered watercraft shall always operate at no wake speeds with lights on after sunset.
11. Beaching or docking shall be done at trolling speeds and motorboat racing is not permitted.
12. Any boating accident resulting in more than \$500 in property damage or in any injury must be reported to the Game and Parks Commission.
13. Boat operators and skiers must keep a minimum distance from lake edges to avoid hitting skiers, swimmers, boat docks, diving boards, etc. (except when docking) Lot owners may place buoys up to 20 feet from the shoreline to delineate swimming area.

14. Maximum length for sailboats is 24 feet. Sailboats shall have the right of way over all motorboats.
15. Towed devices such as kneeboards and U.S. Coast Guard approved towable floatation devices are allowed. Devices such as inner tubes, etc. which cannot be controlled, are not permitted.
16. Only PWC, which are factory equipped with a seat(s) are permitted. PWC are subject to the same rules as powerboats.
17. Life jackets shall be available for each person aboard all boats operating on the lake.
18. Boats shall not operate with more passengers than the recommended capacity.

WATER SKIING

1. All towropes shall be retrieved as quickly as possible after skiing. No down ropes shall block the passage of any oncoming boats. Ski ropes shall not exceed a length of 60 feet when used behind a towing boat.
2. An effort must be made to warn oncoming boats of your downed skier and towropes. The State required fluorescent flag should be used.
3. Turn boat to the right (shore) when possible to pick up downed skier.
4. Skiers shall never spray other boats, skiers, docks or swimmers.

FIRE PITS

Fire pits are allowed on each lot's property and/or beach. They must be contained in a firepit/ring and attended while burning,

NO WAKE POLICY WHEN LAKE IS HIGH

A NO-WAKE policy may be established by the board for the entire lake at any time the lake is high. Under such NO-WAKE DECLARATION, no boats or PWC may be used on the lake in excess of 5 mph. Owners shall check with a Board member whenever the lake is high before operating a boat or PWC in excess of 5 mph. Operating boats or PWC at faster speeds during high water levels greatly increases erosion problems for all beaches.

BOAT INSPECTION

The risk of mussels invading the lake is a risk. Therefore, if your boats have been taken off the lake and has been in a different body of water, you can't put it back in Heron Point until it is cleaned by an authorized dealer with documentation from the dealer. It will then need to be dry docked for an additional 15 days before it can be launched. A Board member will need to be notified to inspection at the start of the 15-day period. The only exception is for watercraft that has been properly dry docked for the winter. In either instance, the watercraft will have to be inspected and a sticker placed on the right-side designating inspection for the appropriate year.

LAKE RESIDENT CONCERNS

Issues or concerns of any Lot owner can be brought to the board for review and discussion in two ways:

1. Concerns may be emailed or mailed in letter form to any board member.
2. Request a time on the agenda of any regular board meeting to discuss the issue. Five to ten minutes will be allotted for this discussion.

The board will discuss the issue as a group at the next regular meeting or will have a special meeting to review and provide the resolution to the lake resident on the issue. The board will not act on or make judgements about concerns or requests that are not reviewed by the entire board. This process is an effort to treat all Heron Point Lake residents fairly and not have one on one discussions with board members by lake residents outside the board. No lake resident should expect a board member to make a judgement based on their individual concerns. The good of the entire Heron Point Lake Association will be considered regarding each concern. The board decisions will be based on Heron Point Lake Association Declarations, By-laws and Rules.