

BY-LAWS
OF THE
BICENTENNIAL ESTATES NEIGHBORHOOD ASSOCIATION

ARTICLE I

NAME AND LOCATION

The name of the corporation is the Bicentennial Estates Neighborhood Association, hereinafter referred to as the "Association". The principal office of the corporation shall be located at 75th and Cornhusker Highway, Lincoln, Nebraska, but meetings of members and directors may be held at such places within the State of Nebraska, County of Lancaster, as may be designated by the Board of Directors.

ARTICLE II

DEFINITIONS

Section 1. "Association" shall mean and refer to the Bicentennial Estates Neighborhood Association, its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the Owners.

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties within the exception of the Common Area.

Section 5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. "Declarant" shall mean and refer to Golf Park, Ltd., its successors and assigns if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.

Section 7. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of the Register of Deeds of Lancaster County Nebraska.

Section 8. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

ARTICLE III

MEETINGS OF MEMBERS

Section 1. Annual Meetings The first annual meeting of the members shall be held within one year from the date of incorporation of the Association, and each subsequent regular annual meeting of the members shall be held on the same day of the same month of each year thereafter, at the hour of five o'clock, p.m. If the day for the annual meeting of the members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.

Section 2. Special Meetings Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of the members who are entitled to vote one-fourth (1/4) of all the votes of the Class A membership.

Section 3. Notice of Meetings Written notice of each meeting of the members shall be given by, or at the direction of, the Secretary or other person authorized to call the meeting, by delivering a copy of such notice, by any means deemed appropriate by the Board of Directors, including but not limited to postage prepaid mail, door hangers, pamphlets, fliers, and/or digital notices, not less than fifteen (15) days prior to the date of such meeting.

Notice shall be deemed given upon dispatch or posting by the Association. Notice shall be directed to each member at the address last appearing on the records of the Association, or at such other address as the member may have designated in writing for purposes of notice. Each member shall be responsible for keeping their address current with the Association. The Association may also provide notice by posting or other general distribution methods in addition to, or in lieu of, direct notice, as determined by the Board of Directors.

Such notice shall specify the place, day, hour of the meeting, and, in the case of a special meeting, the purpose or purposes for which the meeting is called. [HISTORY: Section 3 Amended 19 May 2026 to provide multiple means of meeting notification to members.]

Section 4. Quorum The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one-tenth (1/10) of the votes of each class of membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 5. Proxies At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his Lot.

ARTICLE IV

BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number The affairs of this Association shall be managed by a Board of at least nine (9) directors. Directors must meet the following minimum qualifications to attain and retain office: be (1) a member of BENA (as defined in the Declaration), and (2) in current status on dues assessments. [HISTORY: Amended 13 February 1997 to delete overstruck language in first sentence and to add second sentence.]

Section 2. Term of Office At the first annual meeting, the members shall elect three directors for a term of one year, three directors for a term of two years and three directors for a term of three years; and at each annual meeting thereafter, the members shall elect three directors for a term of three years.

Section 3. Removal Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.

Section 4. Compensation No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without a Meeting The directors shall have the right to take any action in the absence of a meeting which

they could take at a meeting by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

ARTICLE V

NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board of Directors, and two or more members of the Association. The Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among members or non-members.

Section 2. Election Election to the Board of Directors shall be by secret written ballot. At such election, the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The person receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI

MEETINGS OF DIRECTORS

Section 1. Regular Meetings Regular meetings of the Board of Directors shall be held monthly without notice, at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

Section 2. Special Meetings Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than three (3) days notice to each director.

Section 3. Quorum A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly

held meeting at which a quorum is present shall be regarded as the act of the Board.

ARTICLE VII

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers The Board of Directors shall have power to:

(a) Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

(b) Suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed sixty (60) days for infraction of published rules and regulations;

(c) Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;

(d) Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e) Employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties It shall be the duty of the Board of Directors to:

(a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the Class A members who are entitled to vote;

(b) Supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

(c) As more fully provided in the Declaration, to:

(1) Fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period;

(2) Send written notice of each assessment to every owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

(3) Foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same.

(d) Issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;

(e) Procure and maintain adequate liability and hazard insurance on property owned by the Association;

(f) Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

(g) Cause the Common Area to be maintained.

ARTICLE VIII

OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Offices The officers of this Association shall be a president and vice-president, who shall at all times be members of the Board of Directors, a secretary, and a treasurer, and such other officers as the Board may, from time to time, by resolution create.

Section 2. Election of Officers The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the members.

Section 3. Term The officers of this Association shall be elected annually by the Board and each shall hold office for one (1)

year unless he shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 4. Special Appointments The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies A vacancy in any office may be filled by appointment of the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7. Multiple Offices The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 8. Duties The duties of the officers are as follows:

PRESIDENT

(a) The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgage deeds, and other written instruments and shall co-sign all checks and promissory notes.

VICE PRESIDENT

(b) The vice-president shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

SECRETARY

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and the

members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses and shall perform such other duties as required by the Board.

TREASURER

(d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; keep proper books of account; cause an annual audit of the Association by a public accountant at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy of each to the members.

Section 9. Compensation of Officers No officer shall receive compensation for any service he or she may render to the Association. However, any officer may be reimbursed for his or her actual expenses incurred in the performance of the duties of office. [HISTORY: added 13 February 1997.]

ARTICLE IX

COMMITTEES

The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and a Nominating Committee, as provided by these By-Laws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE X

BOOKS AND RECORDS

The books, records and papers of the Association shall, at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

ARTICLE XI

ASSESSMENTS

As more fully provided in the Declaration, each Owner is obligated to pay to the Association annual and special assessments, which are secured by a continuing lien upon the Lot against which each such assessment is made. Any assessments not paid when due shall be deemed delinquent. If any assessment is not paid within thirty (30) days after the due date, such assessment shall bear interest commencing on the thirty-first (31st) day after the due date at the rate of eight percent (8%) per annum. Any and all reasonable costs and expenses incurred by the Association in connection with the collection of any delinquent assessment, whether incurred prior to or after the filing of a lien or commencement of legal proceedings, including, without limitation, administrative fees, costs of collection, certified mail charges, postage, copying, notice and demand expenses, lien preparation, filing and recording fees, lien release fees, title search costs, attorney's fees, court costs, and all other costs of collecting or attempting to collect delinquent amounts, shall be assessed against the Owner, added to the amount of such delinquent assessment, and secured by the continuing lien upon the Lot. Each such cost or expense shall be due and payable immediately upon being incurred by the Association and shall bear interest at the rate of eight percent (8%) per annum from the date incurred. The Association may bring an action at law against the Owner personally obligated to pay the same and/or foreclose the lien against the Lot, and all interest, costs, and reasonable attorney's fees of any such action shall be added to the amount due. No Owner may waive or otherwise escape liability for the assessments or such costs and expenses provided for herein by nonuse of the Common Area or abandonment of the Lot. [HISTORY: Amended 19 May 2026 to clarify when interest begins accruing and which costs and expenses of the Association can be assessed against Owners who are delinquent on Lot assessments.]

ARTICLE XII

CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words: Bicentennial Estates Neighborhood Association.

ARTICLE XIII

AMENDMENTS

Section 1. These By-Laws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, except that the Federal Housing Administration or the Veterans Administration shall have the right to veto amendments while there is Class B membership.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Declaration and these By-Laws, the Declaration shall control.

ARTICLE XIV

MISCELLANEOUS

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year, except that the first fiscal year shall begin on the date of incorporation.

ARTICLE XV

ENCROACHMENTS AND USE OF THE COMMON AREA

Section 1. Approval Required No Owner shall install, construct, place, or maintain any improvement, landscaping, structure, or other encroachment upon any portion of the Common Area without the prior written approval of the Board of Directors.

Section 2. License; No Property Interest Any approval granted by the Board pursuant to this Article shall constitute a revocable license only and shall not convey any ownership interest, easement, or other property right in the Common Area. All portions of the Common Area shall remain the sole property of the Association.

Section 3. Conditions of Approval The Board of Directors may approve such encroachments subject to such terms and conditions as it deems appropriate, including but not limited to requirements for maintenance, repair, appearance, insurance, and indemnification of the Association.

Section 4. Maintenance and Responsibility Any Owner granted permission to use or encroach upon the Common Area shall be solely responsible for the installation, maintenance, repair, and replacement

of any approved improvements, and shall maintain such area in a neat, safe, and attractive condition at all times.

Section 5. Revocation Any approval granted under this Article may be revoked by the Board of Directors at any time, with or without cause, upon reasonable notice to the Owner. Upon revocation, the Owner shall, at the Owner's sole cost and expense, remove any improvements and restore the Common Area to a condition acceptable to the Association.

Section 6. No Adverse Rights No use or encroachment upon the Common Area by any Owner shall be deemed to create any prescriptive right, easement, or claim of adverse possession against the Association.

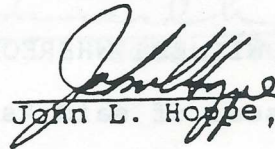
Section 7. Indemnification Each Owner granted permission under this Article shall indemnify and hold harmless the Association from and against any and all claims, damages, liabilities, and expenses arising out of or related to such Owner's use of the Common Area.

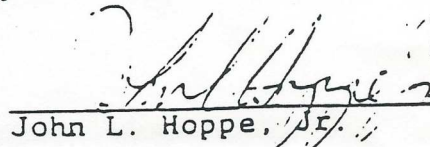
Section 8. Transfer Upon Sale Any approval granted under this Article shall be personal to the Owner and shall not automatically transfer to any subsequent Owner of the Lot. Upon the sale or transfer of a Lot, any approved encroachment or use of the Common Area shall either (a) be removed by the selling Owner, at the selling Owner's sole cost and expense, and the Common Area restored to a condition acceptable to the Association, or (b) remain in place only if the subsequent Owner submits a written request to the Association and agrees, in writing, to assume all obligations, responsibilities, and conditions imposed under the original approval, as determined by the Board of Directors. The Board shall have the sole discretion to approve or deny such request.

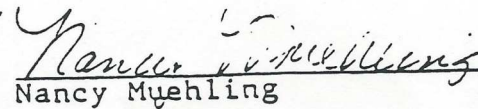
Section 9. Record of Requests and Approvals The Association shall maintain a written record of all requests submitted by Owners under this Article, including any plans, specifications, and supporting materials provided by the Owner, as well as the Board of Directors' decision to approve or deny such request. Such records shall include any conditions of approval imposed by the Board and any subsequent modifications, revocations, or enforcement actions related thereto. All records maintained pursuant to this Section shall be retained as part of the Association's official books and records for a period consistent with applicable law and the Association's record retention policies, and shall be made available to future Boards of Directors to ensure continuity, consistency, and informed decision-making regarding prior and ongoing uses of the Common Area. [HISTORY: Article XV was

added to the By-Laws 19 May 2026 to address issues with encroachments and use of the Common Area.]

IN WITNESS WHEREOF, we being all of the directors of the Bicentennial Estates Neighborhood Association, have hereunto set our hands this 20th day of June, 1980


John L. Hoppe, Sr.


John L. Hoppe, Jr.


Nancy Muehling

CERTIFICATION

I, the undersigned, do hereby certify:

THAT I am the duly elected and acting secretary of the Bicentennial Estates Neighborhood Association, a Nebraska corporation, and,

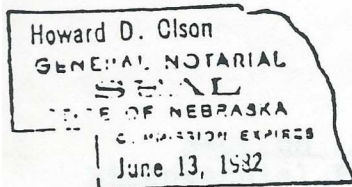
THAT the foregoing By-Laws constitute the original By-Laws of said Association, as duly adopted at a meeting of the Board of Directors thereof, held on the 19th day of June, 1980.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association this 20th day of June, 1980.

Nana Mueckling
Secretary

STATE OF NEBRASKA)
)
LANCASTER COUNTY) ss.

The foregoing instrument was acknowledged before me this
20th day of June, 1980, by John L. Hoppe, Sr.,
John L. Hoppe, Jr. and Nancy Muehling.



Howard D. Olson
Notary Public