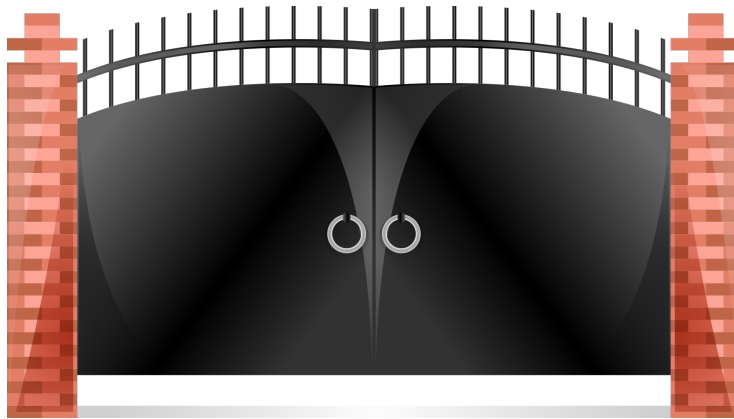


North Gate Garden Estates

RULES & REGULATIONS

Updated August 2021



**2425 Folkways Blvd
Lincoln, NE 68521**

(402) 476-7385

**(Please transfer this document to the
purchaser when you sell your unit.)**

North Gate Garden Estates

RULES & REGULATIONS

(Table of Contents on back cover)

This manual is designed as a quick reference for condo and townhome residents regarding information about the care, maintenance, and use of the condominium (condo) building and grounds, as well as the organization of how we live together in the pursuit of beneficial activities. The common areas of the building and the amenities provided by the association are available to all condo residents including the Hollyhock and Marigold townhomes. All new information was voted on and approved by the board since the prior version of the Rules & Regulations (dated October 2018) and is cited in this update with the date of approval in parentheses.

Each condo unit should have an up-to-date copy of the Covenants (Declaration, By-Laws, and Rules & Regulations). These documents should stay with the unit and be transferred to the purchaser upon sale.

The Declaration (dated 12/15/1998) is the initial document prepared by the developer of the condo. It contains definitions, information on common areas, guidelines to sale of a unit, administrative structure, operation, and insurance requirements. In addition, it outlines repair and reconstruction after a fire or other casualty, restrictions and obligations, compliance and default, and miscellaneous items.

The By-Laws (dated 12/15/1998) contain information on the administration of the condo by the homeowners' association, board officers, and committees. An amendment regarding the audit has been added to the By-Laws (1/8/2008).

According to the Nebraska Condo Act, the board, after notice and opportunity to be heard, may levy reasonable fines for violations of the Declaration, By-laws, and Rules & Regulations for the association.

*Approved by the Condo, Hollyhock, and Marigold Boards
August 2021*

**ALL FORMS AND HANDOUTS CITED IN THIS
DOCUMENT ARE AVAILABLE, AS NEEDED, IN THE OFFICE.**

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ADMINISTRATION

1. **North Gate Garden Estates Condo Board** - The condo board consists of nine condo owners elected by vote of the condo owners at the annual homeowners' meeting in December. A representative from each of the townhome boards attends the condo board meetings and votes on matters concerning the common areas. All board members are elected annually for a three-year term and are limited to serving two consecutive terms. After elections at the annual meeting, the new board elects officers. The condo board president, secretary, treasurer and the administrator are listed on the resolution form for each bank. All checks must have two signatures taken from these four names. Bids and references from at least three firms are required before the board approves purchases of goods and services costing \$5,000 or more. The condo board will respond in writing to any suggestions, requests, or complaints submitted by residents on the **Board Request Form**.
2. **Condo Board Meetings** - Regular meetings of the condo board are held the third week of even numbered months and are open to all residents. The day and time are set by the new board after the annual meeting. A closed work session is held one week prior to the board meeting. Residents who wish to present a topic at the work session should contact a board member. With proper notice, special board meetings can be called at any time. At condo board meetings, a resident may speak for two minutes on matters on the agenda and new business. For a quorum, at least five of the nine board members must be present to conduct business at board meetings. Notices of upcoming board meetings are posted on the bulletin board at least three working days prior to the meetings. The annual homeowners' meeting is held in December with an agenda of electing officers and ratifying the budget. Voting at annual meetings is on a per-unit basis with each unit being entitled to cast one vote per unit, except that units 327 and 330 (double-sized units) are entitled to cast two votes. A quorum of 72 homeowners voting in person or by proxy is necessary to proceed with the meeting. Residents who are non-homeowners may attend the annual homeowners' meeting, but may not vote or speak unless they are acting as the proxy of a condo owner.
3. **Monthly Homeowner Fee** - The monthly fee is due at the beginning of the month for which you are paying. In order to simplify bookkeeping and maintain continuity of payment when homeowners are not available, homeowners should pay this fee by automatic withdrawal from their banks. This process is initiated by the administrator after you have completed the **Authorization for Automatic Withdrawal** form and attached a voided check. In the event that a homeowner's check is returned for insufficient funds, the homeowner will be charged a \$25 fee. If a condo resident has a guest or full-time caregiver living in the unit for more than two weeks, the resident is responsible for an additional monthly charge according to the current fee structure. If a second or third person no longer occupies the unit on a permanent basis, the additional fee would no longer apply. A written notice of a permanent change in occupancy must be given to the administrator prior to the month of the occupancy change. When a resident fails to provide a written notice, fees will not be refunded retroactively for the months when there has been a change in occupancy.
4. **Allocation of Expenses between Condo and Townhomes** - The homeowner fees paid by North Gate condo, Hollyhock townhome, and Marigold townhome owners are used to pay expenses for maintaining the common areas of all three entities according to an agreed upon **Distribution of Charges**. (Available on request)

5. **Certificates of Deposit, Reserve Fund, & Major Repairs** - New CDs are purchased according to expected total fund balances and with the approval of the board. CD renewals are determined by the board president and treasurer. Projects and acquisitions called out in the budget as potential major repairs to be paid from the reserve fund will continue to use the threshold of \$1,000 or more with a life expectancy of eight years or more. For tax purposes and financial reporting purposes, costs of acquiring, producing, and improving tangible property amounting to \$2,500 or more with a life expectancy of three years or more are used by our accountants for purposes of capitalization. At least 10% of the total yearly projected HOA fees will be allotted for the Reserve Fund. This is necessary to meet FHA requirements for obtaining a condo mortgage. (2/18/21) At least two signatures, one of which should be a board member, are required for any movement of monies from the reserve funds, and only after a board motion is made and approved to move or withdraw any of the monies. (8/19/21)
6. **Audit/Review** – All books and records are to be kept in accordance with good and accepted accounting practices and are audited or reviewed yearly by an outside auditor employed by the board. The board determines which method (audit or review) is used.
7. **Insurance** - The North Gate Garden Estates board recommends that condo owner-occupants, when insuring their units, obtain a Condominium Insurance Policy (often referred to in insurance terminology as “HO-6” policy) to ensure that units have adequate coverage. Condo owners are required to have coverage for damage to personal property; personal liability coverage of \$300,000 with medical payment of \$5,000; and standard loss of use. Each year condo owners at their renewal date shall provide the office with a current certificate of insurance or declaration page stating that such insurance is in force and has been renewed. As stated in the declaration, the board shall review insurance requirements annually and may require such increased coverage as they see fit. You may wish to provide your insurance agent the handout on **Insurance Coverage for Condo Owners** for information on North Gate’s master policy and the most recent insurance requirements and recommendations by the board.
8. **Selling Condo Unit** - Condo owners who wish to place their units for sale should notify the administrator of their intentions. You may choose to sell your unit by owner or through a realtor. You may also give the administrator, or designated representative, permission to provide prospective buyers with access to your unit and a tour of the condo building. The administrator, or designated representative, will not offer services or information (including pricing) related to the sale of your unit. The seller has the right to set the selling price, terms and conditions of sale, subject to the following provisions: 1) the seller must make the Declaration, Bylaws, and Rules & Regulations of the association available to the purchaser who must agree to pay the monthly home owners association fee and abide by the most current covenants of the condominium; 2) one occupant of the unit must be at least 55 years of age within the year of the purchase; 3) no more than three occupants are permitted to live in the condo unit; and 4) condo residents are permitted caged birds, aquarium fish, and up to two cats per unit. With the exception of service animals, dogs are not allowed in the building. For Sale signs are **not** permitted on balconies, patios, or in the yards of the condos. After providing notice to the administrator, realtors are allowed to post OPEN HOUSE signs prior to holding an open house for a unit and the signs should be removed immediately after the event. Condo parking stalls are sold separately and require a one-time fee of \$100 to the activity fund, paid by the purchaser at closing. A packet with detailed information on selling your condo unit is available in the office.

9. **Selling Condo Parking Stall** – If a condo owner wishes to sell his garage parking stall without selling his unit or separately from the unit, the homeowners' association has first right of refusal to purchase the stall. The administrator keeps a priority list of those wishing to purchase a parking stall; however, the condo owner can sell to anyone he wishes, as long as the buyer is a condo owner at North Gate Garden Estates, doesn't already own a parking stall, and the association waives or fails to exercise its right of first refusal. Transfer of the exclusive use of a garage parking stall is given by a **Garage Parking Stall Bill of Sale/Purchase Agreement** available in the office. Each stall (when purchased) is assessed a one-time fee of \$100.00 (paid by the purchaser) to the North Gate activity fund. A copy of the Bill of Sale/Purchase Agreement is given to the administrator and kept on file in the office.
10. **Employee Benefits/Reviews** – Benefits for full-time employees of North Gate include accrued vacation time each pay period equivalent to one week (40 hours) the first year, two weeks (80 hours) the second year, and three weeks (120 hours) after five years. Up to five days (40 hours) vacation can be carried over from one year to the next. Full-time employees accrue sick leave each pay period equivalent to two and one-half weeks (100 hours) on an annual basis. No more than two and one-half weeks (100 hours) of sick leave is to be carried over from one year to the next and build-up limit for accruing sick leave is two and one-half weeks (100 hours). Sick leave is defined as paid absences from duty for personal medical needs, immediate family care or bereavement, care of immediate family member with serious health condition or adoption-related purposes. Immediate family members include spouse/partner, parent, spouse's/partner's parent, siblings, spouse's/partner's sibling, child, adopted child, grandparent, spouse's/partner's grandparent, grandchild, step relationship, foster or guardian relationship. Full-time employee benefits include eleven (8/19/21) paid federal holidays. Part-time and full-time employees are reviewed annually by a board committee in October and the reviews are then presented to the employees the first week of November. Pay increases, when awarded, begin January 1. North Gate contributes monies as determined at annual budget review to full-time employee paychecks after one year of employment. Employees may use this contribution at their discretion for retirement or health insurance. (12/17/20)

COMMON AREAS

All areas of the land and condo building are owned "in common" by the condo owners. No alcohol is allowed in these areas. No smoking/vaping is allowed in common areas inside the condo building. The entire condominium is a smoke-free building, including within the individual units. No smoking/vaping is permitted on the individual decks and patios.

Garage Level:

1. **Activity Room** - Especially designed as an all-purpose area, this room is an extension of the dining room. It has many uses other than dining, such as structured exercise and games, polling place for elections, health clinics, etc.
2. **Hair Salon** - A hair salon is located on the lower level next to the activity room. Full hair care is offered for men, women, and children. Since it is not zoned for commercial use, it can service only North Gate residents and their guests. Appointments are scheduled directly with the operator. Hours and contact numbers are posted on the main bulletin board in the lobby and in the North Gate phone directory.

3. **Conversation Nook** - Located in the southeast corner of the dining room, the conversation nook can be used for reading, small meetings, or visiting with family and friends.
4. **Laundry Room** - The Laundry room is located on the lower level just west of the center elevator and is equipped with a coin-operated washer and dryer. Residents may use this washer for items such as heavy bedding and/or small rugs.
5. **Parking Garage** - There are 134 parking spaces in the parking garage. All residents may use the garage for unloading and loading vehicles, regardless of whether they own/rent a parking stall in the garage. There is outside parking on the north, south, and west side of the condo. All residents owning vehicles, regardless of whether they park inside or outside, are required to submit the make, color and license number of their vehicles. For everyone's safety, the speed limit in the garage is no more than 10 miles an hour. Please turn your vehicle's lights ON when driving in the garage. Grocery carts are available outside of the elevator lobbies in the garage. These carts may be used for transporting groceries and other items between your car and your unit. Carts should be returned promptly to their assigned location. Larger carts and dollies (outside the center elevator entrance) are also available for moving big items. Only nonflammable items may be stored in your parking stall (per State Fire Inspector). (4/25/19) If the fire inspector should come through and find flammable material in your stall, you may be ticketed and fined. Guests or caregivers of residents may park in the owner's parking stall in the garage, with the permission of the owner. Vehicles parked at North Gate are restricted in size to: no longer than 22 feet, no wider than 7 feet, and no higher than 9 feet. Height in the garage is restricted to door and ceiling restrictions. This restriction does not apply to the motor homes and campers parked in the temporary space south of the dining room.
6. **Parking Stall Record Keeping** - The administrator shall keep a register of the owner of all indoor garage stalls and the date such garage stall was acquired by the owner. The Administrator shall keep a register of all vehicles controlled by Co-Owners that are parked in an indoor or outdoor parking stall by recording the title owner, make, model, color, and license number of each vehicle. All Co-Owners shall provide to the Administrator the information as required by these rules and regulations upon reasonable request by the Administrator or Board.
7. **Garden Dining Room** - North Gate Garden Estates contracts with a local caterer to offer a reasonably priced evening meal. A sign-up list is located at the front desk for residents to make reservations for these meals. If residents cannot come to the dining room, meals can be ordered and delivered to them. Please note this need when you reserve a meal. Meal tickets may be purchased at the office in quantities of a single meal, and 6- or 12-meal punch tickets. Residents and their friends and family members are always welcome and encouraged to eat in the dining room and/or attend the free programs scheduled several times a month. The programs are listed in the newsletter. The cost of coffee and tea for residents buying the evening meals is included in their meal ticket. An honor box is located near the coffee and tea dispensers for donations by other coffee/tea drinkers and residents holding private events to offset the cost of coffee/tea.
8. **Room Reservations** - Residents of North Gate may reserve the family room, dining room, and activity room for private parties, meetings and other activities. These rooms may be reserved for groups not associated with North Gate with the approval of the administrator only when a resident is a member of the group and will be in attendance at the event. Space will not be reserved for outside groups whose activities could reflect negatively on North Gate. The dining room cannot be reserved during the normal

operation of the evening meal, except for special North Gate sponsored events. Access to the reserved rooms is restricted to event participants unless access is granted by the resident reserving the area, or access is required for emergency entrance or egress from the building. Notification that an area has been reserved will be posted in the building prior to the event. It is the responsibility of the resident reserving the room to ensure that the area is cleaned immediately after being used. This includes taking trash to the dumpster, sanitizing tables, and cleaning the floors. The room is to be returned to the original arrangement. If additional cleaning of the room is required, the resident reserving the room may be charged. To reserve the dining room, activity room, or family room, please submit a **Room Reservation Form** to the office, preferably at least one week in advance of the event. When you reserve the dining room for parties, we suggest that your guests park on the south side and enter the building by the west door of the activity room.

9. **Patio** - A grill is available for use by residents. Please clean the grill after using.
10. **RVs** - Motor homes and campers may park south of the dining room for two days at a time. The time period for each day begins at 1:00 P.M. and ends at 11:00 A.M. the next day. The electric cord should be connected to the overhead boom to prevent residents from tripping and falling, which is possible if the cord is on the ground. No dumping is allowed. A daily fee is charged for use of the space.
11. **Restrooms** - Public restrooms for residents and guests are located next to the hair salon and at each end of the garage near the elevators.
12. **Kitchen** - A refrigerator and microwave are available. To use, please check with the administrator. There are also card tables and chairs.

First Floor:

13. **Front Desk** - The administrative office and front desk are located in the main lobby. Resident volunteers provide information and reception services. Office hours are 8:00 A.M. until 5:00 P.M. Monday through Friday except for the following federal holidays: New Years, Martin Luther King, Presidents, Memorial, Juneteenth, Independence, Labor, Columbus, Veterans, Thanksgiving, and Christmas Days. Visitors are asked to sign in and out at the front desk with their name and the name and unit of the person being visited. An AED device is located in the lobby. The instructions are easy to follow even by an untrained person.
14. **Ping Pong Room** - A ping-pong table (along with paddles and balls) is located on the first floor west wing, south side of the hall and can be entered with the building key. Guests should be accompanied by a resident.
15. **Library** - The library is always open. Books, magazines, audio books and videos can be checked out. Memory books of North Gate development and activities thru the years are available here for residents to enjoy. A computer with internet access and a printer are available for residents to use. Copies of the covenants (Declaration, Bylaws, and Rules and Regulations); board minutes; financial records; the Nebraska Condo Act; and North Gate newsletters are shelved here. Residents who need copies of the covenants can purchase these at the office.
16. **U.S. Mail Boxes** - The U.S. Mail boxes for condo residents are located in the main entrance lobby on the west wall. If you receive mail addressed to another resident, please place in the resident's in-house box. All mail you receive should include your unit number. It violates postal regulations to remove mail from any U.S. postal box before the

mail carrier has finished distribution, closed, and locked the boxes. UPS, FedEx, and Amazon Prime make deliveries to the front desk; you will receive notice by phone.

17. **In-house Message Boxes** - In-house message boxes for each condo unit are in the main lobby. This is a convenient way to deliver notices or cards to other North Gate residents. These boxes are not to be used for the distribution of advertising, religious tracts, or political materials.
18. **Main Bulletin Board Shelf** – Cards to be signed by residents and sign-up sheets for various activities/services are found here.
19. **Family Room** - The family room is an ideal setting for small parties or private dining. To reserve the family room for special events, please submit a **Room Reservation Form** to the office, preferably one week in advance of the event. Residents not a part of the event are expected to refrain from entering the family room during the hours when the room has been reserved for private use.
20. **Puzzle Room** - Puzzles can be worked with other puzzle enthusiasts or taken to your unit to work and return.
21. **Lobby Closets** - Across the hall from the family room and across from the restrooms are closets, which have card tables, folding chairs, wheelchairs, walkers, canes and crutches for loan on a short-term basis.
22. **Restrooms** - Public restrooms are located behind the U.S. Mail boxes.

Second Floor:

23. **Exercise Rooms** - If you have exercise equipment and you are willing to share with others interested in fitness, please contact the administrator to obtain permission to place your equipment in one of these rooms if there is space available. Please label the equipment with your name. Guests and minors should be accompanied by a resident. North Gate is not liable for any accident or injuries that may occur to residents or guests using equipment in the exercise rooms.
24. **Game Room** - Two pool tables are located on the second floor in the large room near the center elevator lobby. Guests should be accompanied by a resident.

Third Floor:

25. **Store Rooms** - Patio furniture may be stored here for the winter months only. Walkers, wheelchairs, motorized carts, and medical equipment may also be stored here. Excess furniture may be stored here temporarily with permission of the administrator. Seasonal fans and decorations may also be stored here. Please label each item with your name and unit number. North Gate is not responsible for the security of items you choose to store in these rooms.
26. **Craft Room** - Craft tables, quilt frames, and craft books are available here. Please be sure the room is returned to the original arrangement and cleaned up before you leave. Light refreshments can be served in the craft room. Contact the office prior to making a donation of craft items.

Overall:

27. **Conversation Areas** - Designated conversation areas are located in the hallways on all floors. These areas are to be furnished appropriately for sitting areas, a place to meet friends for a visit, or a resting place while walking. Pictures, decorations, and furniture loaned for use in these areas should be labeled with your name and unit number. Furniture should be clean and in good repair. Items should be neat and uncluttered.

Displays could be changed periodically for greater enjoyment. Do not use these areas for storage. Furnishings should be approved by the administrator before being added to the conversation areas.

28. **Elevators** – There are three elevators in the building, one on the east, one on the west, and one in the center of the building. Please do not detain the elevator, as this is an inconvenience to others and may cause the elevator to malfunction. In the event of an elevator problem/emergency, use the emergency telephone located below the control panel. Open the magnetized door and push the button and an operator will respond. When moving furniture in or out of the building, advance notice should be given to the office so protective padding can be used to avoid marring the elevator interior. All deliveries of large items (furniture, appliances, carpet, etc.) are to be delivered to the center garage door and placed on the center elevator. The east and west elevators should not be used for large items. During move-ins, doors that are normally locked should not be left propped open. Condo residents are responsible for the coordination of the delivery and the security of the building. Each elevator lobby in the garage has been equipped with automatic doors. When an elevator malfunctions on weekends, it will be serviced as soon as possible on Monday, except for the center elevator which needs to be kept in service at all times for emergencies.
29. **Stairs** - There are seven staircases in the building—one on each end of every hall and one in the center of each wing. They are all accessible from every floor. Please keep doors closed at all times as they are fire doors. Southeast and southwest staircase doors are locked and require your building key to gain access.
30. **Hallways** - Mats are not permitted in front of unit doors. Although the hallways are wide, doormats are hazardous for people with limited sight and extra work for those vacuuming the hallways. Freestanding items by doorways are not permitted anywhere in the hallways except in conversation areas. Residents may hang three items within six feet from their unit doorway frame. Hangings should be within 3 ½ and 6 feet above the floor and no more than 5 inches from the wall. Label with your name and unit number. The hallways are used by many residents for daily walks, especially when the weather does not permit walking outside. The board approved using color in muted tones when the time comes to repaint the hallways.
31. **Doors to Condo Units** - Residents may put their name(s) on the front door or the wall adjacent to the knob side of the front door of their units. A decorative nameplate may be used. Doors should be cleaned periodically to maintain a pleasant appearance. North Gate is responsible for painting condo unit doors to maintain uniformity. The cost of the painting is charged to the homeowner, as the doors are part of the unit and are owned by the condo owner.
32. **Decks and Patios** - Plants, chairs, and tables are permitted on decks and patios. However, miscellaneous items should not be stored there. Chimes, bird baths or bird feeders are not permitted. No barriers or railing enclosures are allowed. During the winter, patio furniture must be labeled if stored in a storage room on 3rd floor east or 3rd floor west. Only electric grills are permitted on decks or patios. Electric grills that can be used as a smoker are not allowed on decks and patios. There is a grill provided for your use just outside the east door of the dining room.
33. **Storage** - Storage rooms assigned to each condo unit have two shelves and the floor marked with the unit number. Items stacked on the top shelf should be 18" from ceiling to allow the sprinkler to adequately cover the whole storage room. Do not put items at the end of shelves or against walls where there are no shelves. Residents have a key for the

storage room in their area. All items should be labeled with name and unit number. Please do not use the storage rooms for valuable items, as North Gate cannot guarantee the security.

34. **Garden Plots** - There are 23 individual 7-1/2' by 10' garden plots located on the south side of the building along the lot line. Residents may request one garden plot per unit in the spring of the year using the form provided by the Administrator. No resident shall have more than two garden plots unless there are unassigned spaces. Water faucets and garden hoses are located beside the plots for easy watering as plots are not watered by the automatic sprinkler system. Those who have garden plots are responsible for removing vegetation when the growing season ends. Consistent failure to maintain the garden plot may result in denial of future plots.
35. **Landscaping** - If a resident notices bushes or plantings that are in need of replacing or removing, they can submit a **Maintenance Concerns in Common Areas** form and the maintenance employee will be assigned to look into your concern. Residents should not replace or remove any plantings without consulting with the administration.

COMMUNICATIONS

1. **Emergencies** -. If you need the police or have a health emergency, dial 911. The fire stations have access to our building for all emergency calls. All residents are provided a FILE OF LIFE packet to record a brief medical history, list of medications, and emergency contacts. This information is in a magnetized holder and should be affixed to your refrigerator. It doesn't hurt to put your living will in with the FILE OF LIFE also. If your emergency is a maintenance problem during office hours, call the office. When the office is closed, call one of the emergency contacts listed in the newsletter.
2. **The North Gate News** - The North Gate newsletter is a monthly publication by the newsletter committee for North Gate residents. The newsletter staff welcomes articles regarding activities as well as special interest stories residents wish to share. No copyrighted material is included unless permission has been granted.
3. **Bulletin Boards** - The main bulletin board located above the shelf in the lobby is an important means of communication. Program reminders, notes, invitations, announcements and other items of interest are found there. They may be posted six days before an event and must be removed after the event. An additional bulletin board is located near the front desk for items and services people want to exchange, sell, buy, or give away. Notices may be posted on appropriate bulletin boards after approval by the administrator.
4. **Elevator Bulletin Boards** - Upon approval of the administrator, posters regarding events for all residents may be posted in the elevator bulletin boards six days before the event. These bulletin boards may be accessed by the administrator or a designated representative using a key. Trips and events requiring sign up may be posted three weeks before the event.
5. **Leave Notice** - It is helpful to fill out a **Leave Notice** if you plan to be gone more than three days. This helps the administration to notify you in case of an emergency (such as a water leak in your unit).

MAINTENANCE, REPAIRS, AND REPLACEMENTS

1. **Structural Additions, Alterations and Improvements** - Consent from the board is required before making structural changes to individual units. Along with the request,

written plans and specifications showing the nature, kind, shape, height, materials, and location of proposed changes are to be included. The board is obligated to answer a written request by a condo owner for approval of a proposed structural change within thirty days after such request. Individuals or corporations performing the work must follow the City of Lincoln Municipal Code as to licensing, city permits, and liability coverage. Some examples of changes which fall under this policy are: deck/patio shades and railings, replacement of carpet with hard surface floors, doorway modifications, window/sliding glass door replacements, handicapped accessibility alterations, shower/tub replacements, and water softener installations (which require special plumbing modifications). If replacing floors with hard surface materials, the flooring product must meet a IIC sound rating of at least 70 or have an underlayment (sound barrier) which meets this rating. If the product meets the IIC rating, it can be approved by two board members. (6/17/21) Deck/patio shades from two vendors have been approved and the shades must be dark brown or gray. Window and sliding glass door replacements must preserve the uniformity of appearance on the outside of the building. The original doors have three panes, but to allow for better access for wheelchairs, sliding glass doors can be replaced with two-pane doors. The doors must be french style to maintain the same look as the originals. Deck/patio shades purchased from an approved vendor, in one of the approved colors, will be approved by two board members as soon as possible. Window replacements by one of the approved contractors will be approved by two board members as soon as possible. See the **Structural Change Request Form** for specific information.

2. **Condo Owner Maintenance Responsibility** - Each condo owner is responsible for the maintenance, repair, and replacement, at his own expense, of everything contained within his unit, including, but not limited to, the following: any interior walls; kitchen and bathroom fixtures and equipment; all appliances; disposal; lighting; heating and air conditioning units; doors, windows and screens; and those parts of the plumbing, electrical or other utility systems which are wholly contained within the unit. Each condo owner is required to keep the interior of the unit and its equipment in good condition and repair and do all redecorating, painting and varnishing which may at any time be necessary to maintain the good appearance of the unit. Windows and balconies are to be kept in clean and sanitary condition, including snow removal. In addition, each condo owner is responsible for all damages to any and all other units or to the common elements resulting from failure to make any of the required repairs. Because of North Gate's insurance liability, it is required that all work in the units be done by licensed contractors according to the City of Lincoln Municipal Code. This means that replacement of heating and air conditioning equipment, dishwashers, garbage disposals, hot water heaters, toilets, bathroom and kitchen fixtures, and board-approved structural changes be handled by individuals or corporations following the City of Lincoln Municipal Code as to licensing, city permits, and liability coverage. (See **Maintenance of Condo Units** for more specific information.)
3. **Maintenance Requests** - The maintenance employee may handle simple repairs in the units which take under an hour. Residents must fill out a **Request for Service** form. These tasks will be scheduled by the administrator and given to the maintenance employee to complete as time allows. Please refrain from interrupting the maintenance employee on the job, so he can organize and use his time effectively. When he has completed the work in your unit, you will be billed by the association for the cost of materials and labor charge. Please do not offer to tip the maintenance employee when he does work for you in your unit; he is paid by North Gate on an hourly wage and should

not be given tips. If you cannot wait until the job is scheduled, please contact an outside contractor. (See the ***Request for Service Form*** for a listing of the types of jobs and costs.)

4. **Dryer Vents** – Cleaning of exterior dryer vents will be done at no expense to the condo owners.
5. **Furnace/AC Annual Service** – It is recommended that you have your furnace and air conditioner serviced annually. North Gate arranges for two companies to provide this service in the spring and fall at a favorable rate to you. Watch for a notice and signup sheet in the lobby if you would like them to service your unit. To maintain quality heating and cooling, filters should be changed regularly. Filters can be purchased at the office.
6. **Garbage Disposal** – To avoid problems with your sink drain, fats or greasy liquids should not be put in the disposal. Most other food garbage can go down the disposal (not banana peels or pineapple skin, etc.). This helps to avoid bugs and unpleasant odors in the trash. To avoid clogging, allow plenty of water to run when using the disposal. A cup of Clorox flushed through the disposal every two weeks is beneficial, but will not prevent clogging.
7. **Water Controls** - The shut-off valve, which stops the flow of water to the entire unit, is located near the hot water tank. Shut-off valves are below each sink and toilet tank. The washer shut-off valve is located beside the washer water supply. Locate these valves and try shutting them off, so you may react quickly in an emergency. Contact the office if you need help. It is suggested that you pour one pint of water in the condensate drain pipe next to the hot water heater monthly to prevent odor back flow which occurs if the trap becomes dry. During the air conditioning season, it is recommended that you pour a pint of Clorox bleach before pouring the water in the condensate drain to dissolve the gunk that builds up over the summer from slow dripping of condensate from the air conditioner. (10/22/20). It is the responsibility of the condo resident to turn off the main water line and the circuit breaker for the hot water heater if the condo will be vacant for more than seven days.
8. **Water Leaks** – Depending on the circumstances, North Gate's master policy may not cover damage caused by water leaks. Residents are required to report water leaks within and into their unit to the administrator, maintenance employee, or a member of the board immediately and to take steps to prevent damage to other units or common areas as soon as discovered. If a restoration company or other contractors are needed to repair/restore damage to the unit(s), insurance companies for the condo owners affected by the water leak should be notified as soon as possible. Determination of responsibility for payment of the costs involved with repair/restoration will be done by the condo owner's insurance company in conjunction with North Gate's insurance company. The board recommends that condo owners carry enough property insurance on their units to cover typical restoration/repair costs for water damage to their unit and any other unit or common areas that might be affected.
9. **Water Softeners** – Because the plumbing in the North Gate condo building is not designed to handle water softeners, installation of water softeners connected into the condensate drain is prohibited. Past installations are grandfathered. If you wish to install a water softener that doesn't require connection to the plumbing system, please submit a ***Structural Change Request Form***.
10. **Pest Control** - Particular attention should be paid to pest control. Without proper control, cockroaches and other insects can infest not only your unit, but your neighbor's as well. Individual apartment pest control can be done at a minimal cost when pest control is

done for the common areas. Condo owners/residents are responsible to report evidence or suspicions of bed bugs immediately to the administrator. Failure to report may result in a fine to the homeowner. If an infestation of bed bugs is confirmed in an individual condo unit, the owner/resident must comply with procedures and protocols recommended by North Gate and pest control professionals to prepare the unit for treatment. Condo owners/residents must continue to comply with follow-up detection and treatments until the infestation is eliminated. North Gate staff will manage this process. To prevent spread of infestation to other units and common areas, condo owners/residents of individual units being treated for bed bugs should refrain from using common areas as much as possible until the infestation is eliminated. North Gate HOA will employ a professional to detect bed bugs in individual units, adjacent units, and the common areas when an infestation of bed bugs is suspected and/or reported. North Gate HOA will periodically provide follow-up inspections as needed to confirm that the infestation is eliminated. Once bed bugs are confirmed, North Gate administrative staff will arrange treatment by a professional pest control company and manage the treatment process until the unit(s) and/or common areas are found to be completely free of bed bugs. North Gate HOA will cover the cost of bed bug inspections and treatments when needed in the common areas and in individual units. See the Bed Bug Action Plan approved by the board on 4/19/18 for additional details regarding prevention, detection, inspection and treatment of bed bugs.

SECURITY

1. **Fire Detection System** - The components of the system are **smoke detectors** in the common areas and **fire sprinkler heads** located in most common areas and individual residential units. In the event smoke is detected in the common areas or sprinklers are activated by heat or flame, the fire detection system sets off the **building fire alarm** and alerts the fire department. Smoke detectors in the condo units do not activate the fire alarm, but do alert residents of smoke in their unit. The parking area in the underground garage does not have sprinklers but is equipped with **heat sensors** which also activate the alarm system when the temperature rises suddenly. The building is equipped with **fire alarm manual pull stations** near exiting stairways and exits to the outside of the building. When activated by pulling on the alarm handle, an alarm will sound on all floors and the fire department will be notified. In addition, **fire extinguishers** are located throughout the building. Backup battery-powered **emergency lights** are located in stairwells, corridors, and at exits. **Elevator emergency controls** are activated in the event of a building alarm. Immediately upon receiving a fire alarm, all elevators return to the first floor and become inoperable. In the event of a **fire, during severe thunderstorms, or after an earthquake**, elevators are NOT to be used.
2. **Telephone Notification System** - North Gate administration uses an internet-based system to make automatic phone calls to inform residents of emergency situations and other events when possible.
3. **Building Access** - All entrances to the building require a key to enter. Building access at the first-floor main entrance is provided by an access call directory in the foyer. Residents can be called via the directory and can grant visitors access to the building by pressing '9' on their phone. Residents are instructed to deny access to the building to unauthorized persons who attempt to enter without going through the access call directory. Security surveillance cameras are located in several places throughout the building. Staff and designated board members (emergency contacts) have a master key

which allows them to enter any door in the building, including the individual units. A strict control system is used to monitor the assignment of these keys.

EMERGENCY/SAFETY PROCEDURES

1. **Fire in the Building** (Fire Alarm sounds): Shut the door to your unit tightly, do not lock the door. If you are physically able, exit the building at the nearest exit or stairwell (NOT THE ELEVATORS). If weather conditions warrant, you may go to the balcony as a last resort. Once you are outside, wait at a safe distance from the building. If you are NORTH of the building, wait on the sidewalk nearest to the street. If you are SOUTH of the building, wait as far away from the building as you can near the back wall. Do NOT block firefighters and/or emergency vehicles entering the area. Do not re-enter the building until you are told by the fire department personnel that it is safe to do so. If you are physically unable to exit the building, remain in your unit or proceed to your balcony if the weather permits.
2. **Fire in your Unit:** Leave your unit, close the door (do not lock). Call 911 immediately, and if possible, pull the nearest fire alarm to alert other residents. If you are physically able, exit the building at the nearest exit. Be aware that if the master key will not open your door, the emergency personnel may have to break down the door.
3. **Medical Emergency:** In the event of an accident or medical emergency, call 911 immediately. Give the operator your name, building address, unit number and/or location of the emergency. Do not hang up until the 911 operator requests that you do so. Once you have called 911, you may contact the office. If a staff member is available at the time of the emergency they will assist the emergency personnel with resident emergency contact information. Emergency personnel have a code to enter the building and they can access the master key once they are inside the building. Be aware that if the master key will not open your door, the emergency personnel may have to break down the door. An AED device is located in the lobby.
4. **Emergency Contact Information:** It is important that your emergency contact information be current in the office. Changes and/or updates can be made by completing a new form. It is highly recommended that you complete, and maintain the "File of Life" and place on your refrigerator so that it is available to persons responding to an emergency in your condo. The "File of Life" is available in the Administrator's office.
5. **Elevator Malfunction:** If trapped in the elevator, push the button marked PUSH FOR ALARM to alert staff or a passerby. Pull open the door (below the elevator controls) marked with a "phone icon" and push the CALL button to speak to a call center person who will contact staff or an emergency contact to get help. If you are feeling ill or in danger, ask call center person to alert "911" to send emergency personnel to come to your aid.
6. **Utility Interruption/Failure:** Contact the office during normal working hours to report a utility interruption. You should call the utility company directly to report a problem that occurs after normal working hours, and notify the emergency board contact of the problem. It is recommended that you unplug sensitive electronic equipment such as computers, televisions, cell phones, etc., so that they are not damaged by a power surge when the electricity is restored.

7. **Water Leakage:** Please be aware that any leaking water in your unit usually affects other nearby units or common areas. If you can identify the source of the leak as being in your unit, immediately shut off the water supply. It is important that you report leaking water immediately to the administrator so that the maintenance employee can be dispatched to troubleshoot the problem. If you discover the leak when staff members are not available, please call one of the emergency board contacts who can help to locate the cause of the problem and determine if a plumber is needed.
8. **Tornado Warning:** There is no place that is 100% safe from a tornado. However, these are the places recommended as the safest areas within North Gate.
 1. The central garage area closest to stall 104 and stalls 36 through 40. **(Do not use the west or east ends of the garage.)**
 2. The lowest level of the five South stairwells. **(The second and fourth stairwells provide the largest shelter area.)**
 3. The activity room, hall south of the activity room, and the laundry room. **(Do not use elevator lobby areas.)**
9. If you are unable to move to these locations, alternatives include the bathroom in your unit, family room, and puzzle room. The lower levels in the building provide the best protection. **In any event, stay away from the windows to avoid flying glass.** The most important thing you can do to avoid possible injury is to respond to the warning by doing something. Many people who are injured or killed could have protected themselves when warned but took no action.
10. **Earthquake Safety:** Drop to the floor and take cover by getting under sturdy furniture; hold on until shaking stops. Try to protect your head and torso from falling debris. If you are in bed, stay there, curl up and hold on, and cover your head. Stay inside the building until the shaking stops, and you are sure it is safe to exit. If you must leave the building after the shaking stops, use the stairs rather than the elevator. Do not re-enter the building until notified by emergency personnel that it is safe to do so. If you are unable to exit the building, stay in place to await rescue.
11. **Suspicious Person in the Building or on the Grounds:** If you believe there is a threat of **serious danger, call 911 immediately.** Residents should follow normal safety procedures by keeping their unit doors locked and keeping valuables secure within the unit. Report the presence of suspicious persons in or about the property to the office or an emergency board contact. If you encounter a stranger in the building, it is best to address them in a helpful manner, asking them if you can help them find who or what they are looking for. Residents will be notified by phone call from the administrator in the event of suspicious activity in the neighborhood.
12. **Building Security:** The outside building entrance doors are locked at all times. To maintain limited access to the building it is essential that NO outside doors be propped open at any time. If there is a need to have extended access to a specific entrance, someone is to be present at the entrance at all times to monitor who enters. Do not allow someone you do not know follow you into the building without them being buzzed in by a resident.
13. **Garbage Service:** When signs are posted warning of icy conditions, please do not take your trash to the dumpster but place it in the gray carts by the delivery entrance of the garage.

14. **Emergency Management:** North Gate's administrator, maintenance employee, and board members are trained on the emergency procedures outlined above. Staff/board members who are able and available will facilitate the evacuation of residents and monitor the entrances of the building so that emergency personnel can access the building.
15. **Emergency Action Plan:** The Emergency Action Plan approved by the board on 10/17/13 outlines responsibilities and general procedures to mitigate the effects of an emergency or disaster at North Gate Garden Estates. These Emergency and Safety Procedures are a part of the Emergency Action Plan. If you wish to review the entire Emergency Action Plan, you may request a copy from the Administrator.

SERVICES

1. **Garbage** – Condo residents are responsible for disposing of garbage by transporting it to the dumpster, located just outside the kitchen area on the lower level, south side. Please use sturdy or double bags to prevent leakage and make sure they are closed completely. If you are physically unable to dispose of your garbage, please call the office to request help until you are again able to handle this activity. If conditions are icy, dispose of your garbage in the gray bins near the center garage door. A city ordinance requires that corrugated cardboard must be disposed of in the recycling bins, not the dumpster.
2. **Recycling** - Many of us like to recycle. There are good reasons to do so: it is good for our economy; reduces the need for landfills; reduces pollution from the manufacture of products made from virgin materials; saves energy; reduces greenhouse gasses; conserves natural resources; and sustains the environment. We have containers in the garage for recycling. For details, see **Recycling Procedures**.
3. **Supplies** – Furnace filters, keys (condo exterior and interior, mailbox, storage area, etc.) fluorescent lights, and garage door openers or batteries are available for residents to purchase. The original cost of garage door openers will be refunded upon request on sale of condo units.
4. **Rollaway Beds** – For overnight guests, rollaway beds are available for a small rental fee per night.
5. **Copier and Fax** – The copier and fax are available for residents to use. The costs and instructions are posted near the machines. A password is required to make color copies.
6. **Computers and Internet Connection** – A computer with internet access and a printer are available for residents to use. Please provide your own paper for the printer. There is limited wifi access in the library/lobby and the dining room/activity room.
7. **TV/DVD** - A TV with a DVD player is in the family room and in the dining room. These are available for all residents. Wii equipment is also available.
8. **Wellness Programs** - North Gate Garden Estates provides a number of opportunities for residents to maintain wellness, including flu shots, foot clinics, speakers on health topics, and exercise programs and equipment. Information on these programs is provided in the North Gate newsletter. Additional programs can be added as requested by residents.
9. **Volunteer Committees** - A Volunteer Committee form is distributed annually to all residents to determine their interest in serving on committees. Some of the committees available for residents to join are: Programs, Front Desk, Decorating, Quilting, Newsletter, Hospitality, Dining Room, and Library. If you are interested in joining a volunteer

committee, please ask the administrator for a current list of the committees and respective chairs.

OTHER

1. **Young Children** - Young children are always welcome. They should be chaperoned in the activity rooms, hallways or other common areas.
2. **Solicitations** - Solicitations are prohibited in the condo building. Message boxes: No sales items unless an established customer (i.e. Avon); No religious tracts; No political publicity. Common Areas: No political campaigning; No sales-related activities, i.e. demonstration of products for sale. Door to Door: No salespeople; No politicians; No religious groups; No petition signature seekers.
3. **Petitions** - Notices may be placed in message boxes informing residents of a petition. Sign up sheets for the petition are to be placed on the bulletin board shelf.
4. **Motorized Carts** - For safety reasons, motorized carts should be driven no faster than walking speed and on the right side of hallway. Please do not drive into congested areas. According to the Fire Department, motorized carts should be parked inside your unit at night.
5. **Pets** – Condo residents are permitted caged birds, aquarium fish, and up to two cats per unit. With the exception of service animals, dogs are not permitted in the condo. **Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities.** Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. When it is not obvious what service an animal provides, only limited inquiries are allowed. Two questions may be asked: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. One cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
6. **Peace** – No resident may make any excessive noise or cause any annoyance or do any act that may disturb the peace of another resident.
7. **Freedom from Harassment (Residents)** - North Gate Garden Estates is committed to providing an environment for residents that is free from harassment, threatening or other inappropriate behavior. To maintain this commitment, any form of harassment, threatening or inappropriate behavior is unacceptable and will not be tolerated. The Board, acting on behalf of all residents, will endeavor to protect residents from infringements upon their rights by others that violate any rule or regulation.

Reports/Complaints - Any resident who feels he/she has been the victim of harassment, threatening or other inappropriate behavior, should immediately report the matter to the

Administrator and the Board of Directors, but no later than two weeks after the alleged incident occurred, by completing the **Board Request Form**.

Investigation - The President and Vice President of the Board of Directors, acting on behalf of all residents, will make a thorough and impartial investigation of the complaint. (In the event the President or Vice President cannot participate in the investigation another Board member will be requested to participate.) The investigation by the Board should be completed within fourteen days of receiving the complaint by scheduling separate private, confidential meetings with the complaining party and the alleged offender. After all the facts regarding the complaint have been obtained, and considered, a decision will be made. The complaining party and the alleged offender will be given a written copy of the decision. The time period between receiving the complaint and notifying the parties of the decision should not be longer than thirty days. All complaints and investigations will be held personal and confidential to the extent possible. Residents are requested to cooperate with any such investigation. A decision will be rendered based upon the information obtained, in the event that a residents refuses to participate in the investigation.

Consequences - The Board, acting on behalf of the residents, will take the necessary action to immediately end the offending action. If an investigation determines the allegations against the alleged offender to be true, and after being notified, the offending party fails to make appropriate corrective action, the Board has the authority to assess a fine against the offender. The Board can take action to the extent allowed by regulations to collect this fine.

Retaliation – Retaliation or intimidation directed toward a complaining party, or anyone who participates in a resulting investigation, will not be tolerated. Anyone who believes they have been the victim of retaliation should report it to the Administrator and/or the Board of Directors.

8. **Freedom from Harassment (Employees)** - North Gate Garden Estates is committed to providing an environment for employees that is free from harassment, including sexual harassment, threatening or other inappropriate behavior, by fellow employees, residents and visitors. To maintain this commitment, any form of harassment, threatening or inappropriate behavior, including sexual harassment is unacceptable and will not be tolerated. The Board, acting on behalf of all residents, will endeavor to protect employees from infringements upon their rights by others that violate any law, rule or regulation.

Reporting - Any employees who feels he/she has been the victim of harassment, including sexual harassment, threatening or other inappropriate behavior, should immediately report the matter to the Board of Directors. This can be done by completing the Board Request Form or by registering a verbal complaint with an officer of the Board of Directors.

Investigation - Upon receipt of a written or verbal complaint, the President and Vice President of the Board of Directors, acting on behalf of all residents, will make a thorough and impartial investigation of the complaint. In the event the President or Vice President cannot participate in the investigation another Board member will be requested to participate. Separate private, confidential meetings will be scheduled with the employee, the alleged offender, and other persons having first-hand knowledge of the incident. Each party will be given full opportunity to explain what they believe occurred. If necessary, more than one meeting can be scheduled to address new information given by any party to the complaint. Failure to participate in the investigation by any party will not deter the rendering of a decision. All complaints and investigations will be held

personal and confidential to the extent possible. The investigation by the Board should be completed within fourteen days of receiving the complaint. After all the facts regarding the complaint have been obtained, and considered, a decision will be made. The complaining party and the alleged offender will be given a written copy of the decision. The time period between receiving the complaint and notifying the parties of the decision should not be longer than thirty days.

Consequences - The Board, acting on behalf of the residents, will take the necessary action to immediately end the offending action. If an investigation determines the allegations against the alleged offender to be true, and after being notified the offending party fails to make appropriate corrective action, the Board has the authority to assess a fine against the offender if the offender is a resident of North Gate. (The Board can take action to the extent allowed by regulations to collect this fine.) Employees will be subjected to disciplinary action up to and including termination and visitors may be banned from North Gate.

Retaliation – Retaliation or intimidation directed toward a complaining party, or anyone who participates in a resulting investigation, will not be tolerated. Anyone who believes they have been the victim of retaliation should report it to the Administrator and/or the Board of Directors.

9. **Fine Policy** - A Fine Policy provides a process to be followed when homeowners are in violation of North Gate's Declaration, Bylaws, and Rules & Regulations. This fine policy outlines procedures for **Violations, Complaints, and Notifications, Homeowner's Right to a Hearing**, and the subsequent **Assessed Fines**. The complete **Fine Policy** is filed in the Board book in the Library with the April 24, 2020 minutes. (4/24/20)
10. **No Smoking/Vaping Policy** - Smoking/vaping is prohibited everywhere within the condo building, including within the individual residential units. For the purpose of this rule, smoking is defined as the act of inhaling and exhaling the fumes of burning plant material. A variety of plant materials are smoked, including marijuana and hashish, but the act is most commonly associated with tobacco as smoked in a cigarette, cigar, or pipe. Vaping is defined as the act of inhaling and exhaling the vapors of e-cigarettes and vaporizers. No smoking/vaping is permitted on the decks and patios of individual units. (8/20/20)
11. **Loaned Items** - Items loaned by residents for use in conversation areas, craft room, game room, exercise rooms, family room, library, hall walls, etc., should be labeled with your name and unit number.
12. **Programs** – The board has approved the sale of CDs by entertainers performing in programs arranged by the program committee. Fashion shows are allowed with board approval.
13. **Moving In** - When moving furniture in or out of the building, advance notice should be given to the office (402-476-7385) so protective padding can be used to avoid marring the elevator interior. All deliveries of large items (furniture, appliances, carpet, etc.) are to be delivered to the middle garage door and placed on the middle elevator. The east and west elevators should not be used for large items. During the move-in process, residents are required to monitor doors that are normally locked so that doors will not be propped open and left unattended. To respect the quiet time of residents, please schedule your move-in between 8:00 a.m. and 8:00 p.m. For additional information, see the handout on **Moving into Your Condo Unit**. A checklist is provided to new residents to highlight some important information they need to know upon moving in.

HOLLYHOCK/MARIGOLD TOWNHOMES RULES & REGULATIONS

1. **Board** - The Hollyhock and Marigold townhome boards each consist of five members serving three years. With 10 days notice, the homeowners meet annually before the beginning of the fiscal year (January 1) to adopt the budget and elect new board members. At least two regular meetings are held during the fiscal year, with notice given to each board member at least three business days prior to the day of the meeting. Special meetings can be called as needed by the president.
2. **Allocation of Expenses between Condo and Townhomes** - The homeowner fees paid by North Gate condo, Hollyhock townhome, and Marigold townhome owners are used to pay expenses for maintaining the common areas of all three entities according to an agreed upon distribution of charges. For specifics on how these charges are allocated, see ***Distribution of Charges - Condo & Townhomes***. The homeowners' fees are used to pay the cost of trash removal; basic cable TV service; lawn care and irrigation; snow removal; maintenance of the common areas, including streets, sidewalks, parking areas and driveways, light poles and electricity; liability insurance for common areas; and North Gate administrative staff and office expenses. Expenses not covered by the association are individual townhome real estate taxes, electricity, property and personal liability insurance, telephone, water/sewer, etc.
3. **Certificates of Deposit/Reserve Fund** - New CDs are purchased according to expected total fund balances and with the approval of the board. CD renewals are determined by the board president and treasurer. **[Funding for regular exterior maintenance of the décor, the roof and long-range planning for roof replacement, will be provided through a reserve account, funded by part of the monthly fee. Additionally this account will permit a coordinated schedule for refurbishing garage doors and trim.]—Applies to Hollyhock but not Marigold.** Exterior maintenance of doors, windows, decks, patios and glass is the responsibility of the homeowner.
4. **Insurance** - Townhome owners are required to maintain at all times fire and extended coverage property insurance for the full value of his or her unit, as well as \$300,000 personal liability and \$5,000 medical payments. Each year homeowners at their renewal date shall provide the office with a current certificate of insurance or declaration page stating that such insurance is in force and has been renewed. The board shall purchase adequate liability insurance on the entire common area, directors and officers insurance, workers compensation and employee dishonesty insurance.
5. **Selling Townhome Unit** - Townhome owners who wish to place their units for sale should notify the North Gate administrator of their intentions. You may choose to sell your unit by owner or through a realtor. You may also give the administrator, or designated representative, permission to provide prospective buyers with access to your unit and a tour of the condo building. The administrator, or designated representative, will not offer services or information (including pricing) related to the sale of your unit. The seller has the right to set the selling price, terms and conditions of sale, subject to the following provisions: 1) the seller must make the Declaration, Bylaws, and Rules & Regulations of the association available to the purchaser who must agree to pay the monthly fee; 2) one occupant of the unit must be at least 55 years of age; 3) no more than four occupants are permitted to live in the townhome; and 4) residents are permitted up to two cats or small house dogs.

6. **Architectural Control** - No outside additions, alterations or improvements by a homeowner, including fences, walls or screening, can be made without the prior written consent of the board. Patios may be enclosed by following the approved architectural design, conforming with other townhome enclosed patios. Exterior paint colors must be the same on all townhomes, unless another option is approved by the majority of homeowners. The board shall have exclusive authority to change the exterior form of the facades or paint the exterior walls, doors or windows in colors or hues, as they shall select.
7. **Flower gardens** - **[With board approval, flower gardens, vegetable gardens up to 12' x 12', and shrubs are permitted within each unit.]**—*Applies to Hollyhock, but not Marigold.* The homeowner is responsible for the maintenance, including trimming and removing dead vegetation in these planted areas. Grass will be mowed to the wall of the townhome, where the owner has not used the area for landscaping purposes. Additional trees or tall bushes within the homeowners' lot line must be approved by the board.
8. **Trash Removal** – Trash for Hollyhock residents is picked up on Monday and Thursday. Trash for Marigold is picked up once a week on Tuesdays. Please place your container before 7:30 A.M. near the curb on the side of your driveway, not on the grass. Recycling receptacles are available in the condo building garage.
9. **Tornado Warning** – If your unit does not have a basement level, you can take shelter in the garage level of the condo building.
10. **Maintenance Requests** - The maintenance employee may handle simple repairs in the townhomes which take under an hour. Residents must come to the office to fill out maintenance requests. They will be scheduled by the administrator and given to the maintenance employee to complete as time allows. Please refrain from interrupting him on the job so he can organize and use his time effectively. When he has completed the work in your unit, you will be billed by the association for the cost of materials and labor charge. Please do not offer to tip the maintenance employee when he does work for you in your unit; he is paid by North Gate on an hourly wage and should not be given tips. If you cannot wait until the job is scheduled, please contact an outside contractor. (See the **Request for Service Form** for a listing of the types of jobs and costs.)
11. **Covenants** - Each townhome unit should have an up-to-date copy of the Covenants (Declaration, By-laws, and Rules and Regulations). These documents should stay with the unit, and be transferred to the purchaser upon sale. Hollyhock's Declaration and By-Laws are dated February 1997 and Marigold's Declaration is dated June 1997. Marigold's By-Laws are dated July 1997 and there is an amendment dated December 1999 pertaining to Nomination, Election, and Term of Office.

ADDENDUMS TO HOLLYHOCK RULES AND REGULATIONS

NOVEMBER 6, 2015--Landscaping (trees, shrubs, etc.) outside of the three-foot limit that has been approved by the association board shall become the property of the association when the townhouse is sold. New owners will not be responsible for the maintenance and upkeep of landscaping on common grounds. Such maintenance and upkeep will be the responsibility of the association.

APRIL 25, 2016--Insurance. Townhome owners are required to maintain at all times fire and extended coverage property insurance **for a minimum of the current Lancaster County Assessors valuation for his or her unit (available on your property tax statement or on-line)**, as well as \$300,000 personal liability and \$5,000 medical payments. Each year homeowners at their renewal date shall provide the office with a current certificate of

insurance or declaration page stating that such insurance is in force and has been renewed. The board shall purchase adequate liability insurance on the entire common area, directors and officers insurance, workers compensation and employee dishonesty insurance.

AMENDMENT TO MARIGOLD DECLARATION REVISION, FEBRUARY 3, 2020

The Third Amendment to the Declaration of North Gate Garden Estates Marigold Townhomes is available in the Library and covers various items including exterior maintenance of each Unit, landscape maintenance, interior maintenance of each Unit, reporting of termites, bugs, pests or rodents, enforcement of violations of the declaration, restrictions on leasing units, monthly fee adjustments, and the Reserve Fund.