

2000-044065

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF SPRINGVALE HOMEOWNERS ASSOCIATION
TO AMEND THE CODE OF BYLAWS OF THE CORPORATION,
FURTHER ESTABLISHING RULES AND REGULATIONS**

WHEREAS, the Covenants and Bylaws, recorded as Document Number 051523 in the Office of the Recorder of Lake County, provided that the Board of Directors of the Springvale Homeowners Association is empowered to adopt rules and regulations binding upon the owners and users of property encumbered by those restrictive covenants, including but not limited to parking and traffic patterns. This is such a rule and this encumbrance on all property affected by Document Number 051523;

WHEREAS, the Board of Directors finds that the public health and safety as well as the beneficial use and maintenance of the value of the property of the owners and users of the properties benefitted and protected by those covenants is jeopardized by the habitual and recurring use of the common areas designated for parking and ingress and egress, and in driveways, by commercial vehicles, vehicles with snow plows, and vehicles of a size larger than conventional vehicles designed primarily for personal, not commercial use; and further, the prohibition of such use would serve the public health, and safety as well as the beneficial use and maintenance of the property values of the owners and users of the protected and encumbered properties;

WHEREAS, the Board of Directors further finds that such habitual or recurring use of the common areas and driveways would substantially change the nature of the neighborhood and the property benefitted and protected by the Covenants and Bylaws;

WHEREAS, the Board of Directors finds that the parking upon a driveway or parking area or common area of a commercial vehicle or a vehicle equipped with a snow plow is a use of the property for a purpose other than residential. The

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Association provides snow removal for all common areas, streets and parking areas other than those areas where the Town of Schererville removes snow. To the extent property owners use, or have others use vehicle mounted snow plows to remove snow from their driveways, such vehicles are in motion and are not parked and have no necessity to be parked; and,

WHEREAS, Commercial and Motor Vehicles with snow plows or snow removal equipment are a potential safety hazard to pedestrian and property which should be regulated.

BE IT THEREFORE RESOLVED BY THE BOARD OF DIRECTORS OF SPRINGVALE HOMEOWNERS ASSOCIATION AS FOLLOWS:

1. The habitual or recurring use of the common areas designated for parking and for ingress and egress and the use of driveways by the parking of commercial vehicles, vehicles with snow plows, any and all other vehicles which are not designed for primarily personal use only and not for commercial purpose and vehicles which can be used for the transportation or hauling of goods or materials or persons in greater number than eight (8) shall be and is hereby prohibited. This rule and regulation is not designed to prohibit the delivery of goods and furnishings on an occasional and infrequent basis, the vehicles of non-resident repair or service personnel, or the moving of belongings as residents begin or terminate occupancy of the dwelling units.

2. It is within the Board's authority under Section IV of the Bylaws, paragraph 4.01, to enforce compliance with that paragraph's prohibition of non-residential use of any of the property — Parcels, Units and Buildings and Common Facilities. The Board of Directors finds that the parking upon a driveway or parking area or common area of a commercial vehicle or a vehicle equipped with a snow plow is a use of the property for a purpose other than residential. The Association provides snow removal for all common areas, streets and parking areas other than those areas where the Town of Schererville removes snow. To the extent property owners use, or have others use vehicle mounted snow plows to remove snow from

their driveways, such vehicles are in motion and are not parked and have no necessity to be parked. Therefore, any parking of a snow plow equipped vehicle and any habitual or repeated parking of a commercial vehicle on a driveway or any other area in the encumbered property of the Springvale Townhomes subdivision is and does constitute a non-residential use and thus is a prohibited use of the property, Unit and Common Area.

3. It is within the authority and plenary jurisdiction of the Board of Directors, including but not limited to Section IV, paragraph 4.01, for the Board of Directors to fix and amend traffic patterns. Commercial and Motor Vehicles with snow plows or snow removal equipment are a potential safety hazard to pedestrian and property which should be regulated. The Board therefore regulates traffic in the common areas and common roadways by prohibiting the operation of any and all motor vehicle equipped with snow plow or other snow removal equipment on any common areas, parking areas, and common roadway other than by those parties hired by the Association during the removal of snow by those parties so contracted, from Association common property. Commercial vehicles, other than those making service, or repair calls to units, and those used to move furnishings in or out of a Unit upon vacating or occupying a unit, are prohibited from the common areas and facility.

4. Violations of these prohibitions shall be subject to fine in an amount found by the Board of Directors to be reasonable and levied under a billing in writing. There shall be no requirement of notice of violation prior to imposition of fine if this Resolution is recorded.

5. This Resolution may be recorded in the Office of the Recorder of Lake County, Indiana.

6. Notice by first class mail to all owners of property benefitted by the Covenants shall be given before this shall become effective. Notice shall be deemed effective when given to the owners as shown currently at the time of meeting in the records of the Association at the addresses so shown.

**RESOLVED BY THE BOARD OF DIRECTORS OF SPRINGVALE
HOMEOWNERS ASSOCIATION THIS 15TH DAY OF MAY, 2000.**

BOARD OF DIRECTORS:

James Burdick

President

Gene Graham

Director

Alan Ows

Director

Eugene Wasilowski

Director

Molara Dye

Director

David C. Stone

Director

Jean Brown

Director

Director

Director

The foregoing Resolution was mailed by first class mail to each and every owner of record on June 15th, 2000.

ATTEST:

Molara Dye

Secretary