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Cross-Reference:
Turfway Park, Section 1A (Plat), Instrument # 97014747 (Plat Book D, Page 56 A&B)
Turfway Park, Section 1B (Plat), Instrument # 98030628 (Plat Book D, Page 155 A&B)
Turfway Park, Declaration of Covenants, Instrument # 97009683

ADOPTION OF RULES, REGULATIONS AND PROCEDURES

AFFIDAVIT OF CORPORATE RESOLUTION
of
TURFWAY PARK HOMEOWNERS ASSOCIATION, INC.

Turfway Park Homeowners Association, Inc., by its Board of Directors, on this 5 day of May, 2017, and states as follows:

INTRODUCTION:

The residential community in Johnson County, Indiana, commonly known as Turfway Park was established upon the recording of certain Plats and other documents with the Office of the Recorder for Johnson County, Indiana; and

The Plat for Turfway Park, Section 1A, was recorded with the Office of the Johnson County Recorder on July 9, 1997, as **Instrument # 97014747**, in Plat Book D, Page 56 A & B; and

The Plat for Turfway Park, Section 1B, was recorded with the Office of the Johnson County Recorder on October 29, 1998, as **Instrument # 98030628**, in Plat Book D, Page 155 A & B; and

The Declaration of Covenants, Conditions and Restrictions of Turfway Park ("Declaration") was recorded with the Office of the Johnson County Recorder on May 13, 1997, as **Instrument # 97009683**; and



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The Declaration states that by taking a deed to any Lot as set forth on the above listed Plats for the Turfway Park development, each owner becomes a mandatory member of the subdivision's homeowner's association known as Turfway Park Homeowners Association, Inc. ("Association"), an Indiana nonprofit corporation; and

The Association was incorporated as provided in the Declarations as a non-profit corporation by the Articles of Incorporation ("Articles") filed with, and approved by, the Indiana Secretary of State on May 15, 1997; and

The original Board of Directors adopted a Code of Bylaws ("Bylaws") for the Association to define the operating procedures of the Association and the powers and authority of the Board of Directors, said Bylaws being revised and amended from time to time thereafter; and

The Declaration, Article III, Section 3.1(c), and Article VI, Section 6.21, both state that the Board of Directors has the authority to adopt rules and regulations for the use, improvements, additions, and alterations of the Lots and any Common Areas owned by the Association; and

The Articles, Article II, Section 2.03(c), states that the Association shall have the power to adopt rules and regulations and to perform such deeds as are deemed necessary to achieve the aforesaid purposes; and

The Bylaws, Article V, Section 4(g), states that the Board of Directors of the Association has the power to create, adopt, revise, amend or alter from time to time such additional rules and regulations with respect to use, occupancy, operation, enjoyment, and architectural additions or modifications of the Property, including the individual lots, streets (whether public or private), and the Common Areas, said rules and regulations being in addition to the rules and restrictions set forth in the Declaration, as the Board, in its discretion, deems necessary or advisable; and

Following the authority cited above, the Board of Directors desires to adopt certain rules and regulations which it deems necessary and designed to protect the enjoyment, health, safety and welfare of the residents and the value, appearance and desirability of the properties within the Turfway Park community; and

AS A RESULT, based on the authority granted to the Board of Directors by the Declaration, Articles, and Bylaws, a majority of the Board of Directors have voted to adopt these Rules. These Rules do not conflict in any manner with any provision in the Declaration, Articles, or Bylaws. The Rules is stated as follows:

88 **COMMON AREA USE RULE**

89 **for**

90 **TURFWAY PARK**

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- 96 1. **USE AT OWN RISK.** Safety is of primary concern to the Association. All
97 persons using the lakes, ponds and common areas do so at their own risk
98 and agree, by their use of the common areas, to abide by the rules adopted
99 by the Association. The Association, its Directors and agents, assume no
100 responsibility for any accident, injury, or damage incurred in connection
101 with use of the lakes, ponds or common areas. Residents are responsible for
102 the actions of their children and guests.
- 103
- 104 2. **KEEP OUT OF WATER!** Owners, residents and their guests are strictly prohibited
105 from entering the water of any lake or pond in Turfway Park at any time.
- 106
- 107 3. **KEEP OFF THE RIP RAP!** No Owner, resident or their guest may walk on, move
108 or remove the rip rap stone around any of the lakes and ponds at any time.
- 109
- 110 4. **OWNERS, RESIDENTS AND GUESTS ONLY.** The lakes, ponds and
111 surrounding areas are for the exclusive use of Turfway Park Owners, their family
112 members and guests. To prevent overcrowding, only three (3) guests may fish per
113 Owner.
- 114
- 115 5. **FISHING.** Fishing in the lakes and ponds in Turfway Park is limited to bank or
116 shoreline fishing only. Fishing is restricted to pole and rod fishing only. No other
117 devices for catching fish are allowed.
- 118
- 119 6. **CATCH & RELEASE ONLY.** Because the lakes and ponds serve as a collection
120 point for street water drainage and other runoff, the Association would ask all
121 residents to strictly follow a “catch and release” policy when fishing in the lakes and
122 ponds.
- 123
- 124 7. **HOURS FOR FISHING.** Fishing is allowed during daylight hours only.
- 125
- 126 8. **NO ICE SKATING, ICE FISHING, BOATING OR SKIING.** No ice skating, ice
127 fishing, boating or skiing is allowed on the lakes and ponds.
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- 129 9. **NO TRESPASSING.** No Owner, resident or their guest(s) may trespass upon the
130 private property of another Owner to fish unless that property Owner has granted the
131 Owner, resident or guest permission to fish from the Owner’s bank.
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10. **NO LITTERING.** Residents are not to litter on or destroy any portion of the common areas or the private property areas that boundary the common areas.
PLEASE BE COURTEOUS OF OTHERS!

11. **NO WEAPONS!** No Owner, resident or their guest may use or shoot weapons of any kind, including guns, air guns, paint guns, bb guns, bows/arrows, etc. on or around the lakes, ponds or any common areas at any time.

12. **NO MOTORIZED VEHICLES!** No Owner, resident or their guest may operate a motorized vehicle, including 4-wheelers, go-carts, motorcycles, etc. on or around the lakes, ponds or any common area at any time.

13. **BAD BEHAVIOR.** Profane language and shouting are prohibited while using the ponds, lakes and common areas. No roughhousing, shoving or fighting is permitted around the pond, lake or any common area.

14. **VIOLATIONS.** If any Owner, resident or their guest(s) do not obey these rules, the Association has the right to prohibit you from using the pond and lake areas. Also, if a resident or his guest damages the pond or lake areas or any private property, the Owner will be responsible for reimbursing the Association, or the private property Owner, for the damage repair or replacement costs, including legal fees if legal action becomes necessary.

[End of Rule]

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We execute this Affidavit of Corporate Resolution for Turfway Park Homeowners Association, Inc. as approved by the Board of Directors.

TURFWAY PARK HOMEOWNERS ASSOCIATION, INC.



5.5.2017

Date

Printed Name: RICHARD C. WEIS

President

ATTEST:



5-5-17

Date

Printed Name: Jamie S. Fields

Secretary

