

**A BOARD RESOLUTION ADOPTING RULES AND REGULATIONS
RELATING TO THE SUBMISSION AND APPROVAL OF
IMPROVEMENT PLANS FOR LOTS WITHIN BABLER PARK ESTATES
SUBDIVISION**

WHEREAS, the Board of Trustees of the Babler Park Estates Homeowners' Association (the "Association") is authorized, pursuant to the provisions of Section 3.08 of the Trust Agreement and Indenture of Restrictions of Babler Park Estates Subdivision, Plat I (the "Indentures"), to promulgate rules and regulations; and

WHEREAS, the Board of Trustees, pursuant to Section 4.01 of the Indentures, has the right to review the plans for construction of improvements to any particular lot and to "disapprove and reject any such plans which in their opinion would be injurious to, or out of harmony with, the present or future development of the Site..."

WHEREAS, the Board of Trustees deem it to be in the best interests of the Association and the Lot Owners of the Babler Park Estates Subdivision ("Babler Park Estates") to reduce, minimize or eliminate potential liability for the Association and the Lot Owners whenever possible; and

WHEREAS, in furtherance of its desire to minimize potential liability and its desire to provide a uniform, efficient and equitable approval process for Lot Owners seeking approval of lot improvements, the Board of Trustees has drafted the Request for Approval Form, a copy of which is attached hereto as Exhibit A and is incorporated herein by reference; and

WHEREAS, in order to achieve the goals expressed herein and to ensure the that proposed improvements are not injurious to the Association or the Lot Owners, the Board of Trustees deems it necessary for Lot Owners seeking to make improvements to their lots to submit a completed Request for Approval Form, as shown on the attached Exhibit A, without any changes thereto; and

WHEREAS, based on the foregoing, the Board of Trustees deem it necessary and in the best interests of the Lot Owners and the Association to adopt the rules and regulations hereinafter described.

NOW THEREFORE, BE IT RESOLVED, the Board of Trustees of the Babler Park Estates Homeowner's Association, hereby enacts the following rules and regulations to govern the application for approval of proposed improvements for lots within Babler Park Estates:

1. Each Lot Owner desiring the approval of any plan for the construction, reconstruction, addition, or alteration, painting or repainting to any building, fence, wall, or other structure of any kind, as well as for the location and grade of any structure upon any lot and the general grading and landscape treatment, shall submit a completed Request for Approval form to the Board of Trustees for review and approval. Any incomplete Request for Approval form or any application submitted in a form other than as shown on the attached Exhibit A, shall be rejected by the Board of Trustees without regard to the content of the application.

2. The Board of Trustees may require the Lot Owner seeking approval to provide any additional plans, specifications or documents as the Board deems necessary.

3. The Board of Trustees, in approving of any proposed improvements, do not make any warranties or representations regarding the quality or fitness of the improvements. Each Lot Owner requesting approval of any improvements shall agree to indemnify the Board of Trustees and the Association and hold them harmless from and against any injuries to persons or property, caused or resulting, either directly or indirectly, from the construction, maintenance or use of the improvements. In the event any Lot Owner fails or refuses to agree to indemnify the Board of Trustees and the Association, his or her Request for Approval shall be denied.

4. Upon completion of the improvements, the Lot Owner shall notify the Board of

Trustees and shall make arrangements with the Board of Trustees for an inspection of the completed improvements. This inspection shall be to ensure that the improvements conform to the plans and specifications approved by the Board of Trustees. If any of the improvements were not constructed as approved, the improvements shall be removed or altered to conform to the originally approved plans and specifications.

5. These rules and regulations shall be effective upon approval.

ATTEST: _____
_____, Secretary _____, President

CERTIFICATE OF TRUE COPY

I, _____, Secretary of the Board of Trustees for Babler Park Estates, do hereby certify that the above and foregoing is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Babler Park Estates on the ____ day of _____, 2003, as the same is on file in my office.

In Witness Whereof, I have hereunto set my hand and affixed my seal this ____ day of _____, 2003.

Secretary