

Resolution #

01-10

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**RESOLUTION OF BOARD OF DIRECTORS OF
FOUR SEASONS LAKESITES PROPERTY OWNERS ASSOCIATION,
INC.**

October 19, 2010

The undersigned officers of the Four Seasons Lakesites Property Owners Association, Inc. (the "Association"), do hereby certify that they are officers of the Association, a Missouri not-for-profit corporation, and that the following are true, correct and complete copies of resolutions adopted on or about the date first above stated by the Board of Directors of the Corporation, in accordance with the By-Laws of the Corporation and the Missouri Nonprofit Corporations Act, Chapter 355 Revised Statutes of Missouri, which resolutions have not been amended, modified, annulled, rescinded, revoked or changed in any manner whatsoever and are in full force and effect:

WHEREAS, The Board of Directors (the "Board") of Four Seasons Lakesites Property Owners Association, Inc. (the "Association") desires to amend the ACC Guidelines as defined in the Fourth Amended and Restated Declaration of Restrictive Covenants filed for record in Camden County, Missouri (the "Restrictive Covenants"; and

WHEREAS, Section 13.1 of the Restrictive Covenants provides for the Board to amend the ACC Guidelines.

NOW, THEREFORE:

BE IT RESOLVED, the Board hereby agrees and resolves that Article II. N. of the current ACC Guidelines are deleted in its entirety and the following provisions are hereby adopted as Article II. N of said ACC Guidelines:

N. Helicopter Landing Pads:

1. General requirements for individual helipads:

1. ACC Permits are required for dock and land-based helipads.
2. Use is limited to helicopters registered by the FAA to the property owner of record.
3. No refueling facilities are allowed.
4. No training take-offs and landings are allowed.
5. No commercial activity is permitted (sight seeing, photography operations, crop care, etc.).
6. No instrument landings are allowed. Diversion to a commercial facility in bad

weather is mandatory.

7. Hours of helicopter operation are limited to daylight hours from 8:00 A.M. to sunset (adjusted for daylight savings time, if appropriate) as specified in the OLD FARMERS ALMANAC for Jefferson City, Mo.
8. Approval requires a four-step process.
 - A. Preliminary ACC approval
 - B. Submittal of a positive Notice of Airspace Determination/Establishment from the FAA
 - C. Affected Property Owners' Approval
 - D. Final ACC Approval

NOTE: Within the boundaries of the Village of Four Seasons, The Village, by ordinance, does not allow individual residential helipads. Jurisdiction reaches to 100 yards beyond the shoreline. For complete details, contact The Village of Four Seasons at 573-365-3833.

2. Requirements for Preliminary ACC Approval:

1. Must have minimum level of liability and property damage insurance of \$3 million.
2. Only light helicopters will be approved.
 - A. 4500 pounds maximum gross weight
 - B. Single engine
 - C. Maximum overall length of forty-five feet (45');
3. Applicant must specify make and model for helicopter to be used within the specifications as listed in Part 2 above.
4. Applicant must submit an accurate estimate of number of take-offs and landings per month.
5. Helipads must be constructed from hard surfaced materials (asphalt is not acceptable).

3. FAA Notice of Airspace Determination/Establishment

1. A positive FAA Notice of Airspace Determination/Establishment of the proposed helipad is required by the ACC regardless of helicopter specification or frequency of flights. Upon receiving preliminary approval from the ACC, the applicant will make application to the FAA and must receive approval before the process of obtaining Affected Property Owners' Approval can begin.
2. A positive FAA Notice of Airspace Determination/Establishment is the submission of Primary and, preferably, Alternate Glide Path Plans of at least 1000 feet in length, 90 to 180 degrees apart, including direction and angle of descent, with a minimum approach surface slope of 8:1, facing the wind.

4. Affected Property Owners' Approval

Upon submission of a positive FAA Notice of Airspace Determination/Establishment, a survey, containing all pertinent information, will be sent by the Property Owners Association to each property owner whose lot is, in whole or part, within one thousand feet (1000') of the proposed helipad. Each lot owner has one vote. A 2/3 favorable majority of votes cast is required for approval. The applicant will pay the cost of the survey, a flat fee.

5. Final ACC Approval:

Upon securing said 2/3 favorable majority, a permit will be granted.

6. Changes and Re-permitting:

A re-permitting process will be necessary if any of the following conditions exist:

- A change in helicopter specifications, outside the stated limits.
- Usage is 50% or more above the stated estimated level.

NOTE: The re-permitting process will be treated as a new application.

BE IT FURTHER RESOLVED, A new section XI shall be added as set forth Below:

XI. RESTRICTED ACTIVITIES

DEFINITION OF COMMERICAL VEHICLE:

The term "Commercial Vehicle", as used in Section 14.7 (f) (xii) FOURTH AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANTS, shall be deemed to include, but not be limited to:

- a. Any motor vehicle which is used for the conduct of any business, and has the name and address, the name and telephone number, or the name and website address of any business affixed or inscribed to any area on said vehicle.
- b. All dump trucks, tractor-trailer semi cabs, flat bed trucks, panel trucks and all construction equipment.

All construction equipment is expressly included within this definition except for those confined to properties with active construction permits, issued by the ACC.

DEFINITION OF STORED VEHICLE:

The term "Stored Vehicle", as used in Section 14,7 (f) (xii) FOURTH AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANTS, shall be deemed to mean any motor vehicle which is covered in a manner not approved by the ACC, inoperable, displays an invalid or expired license plate, or no license plate.

DEFINITION OF OVERSIZED VEHICLE:

The term "Oversized Vehicle", as used in Section 14,7 (f) (xii) FOURTH AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANTS, shall be deemed to mean any motor vehicle which exceeds three hundred (300) inches in length, eighty-four (84) inches in width, or eighty-four (84) inches in height.

BE IT FURTHER RESOLVED,

The section numbers for previous Sections XI, XII, and XIII shall be updated to reflect the addition of the new Section XI adopted as set forth in this resolution.

BE IT FURTHER RESOLVED, the Board hereby agrees and resolves that Article XII of the current ACC Guidelines are deleted in its entirety and the following provisions are hereby adopted as Article XIII. of said ACC Guidelines:

XIII. NOTICE OF DISCLAIMER

In the event of conflict between the **Declaration of Restrictive Covenants** now, or as amended, the amended Declaration will control. The ACC may amend the ACC Guidelines subject to the Board's approval. The Board may amend the ACC Guidelines at any time. In the event of conflict between these Guidelines and any federal, state or local statute, law, rule or regulation, such statute, law rule or regulation will take precedence over these Guidelines.

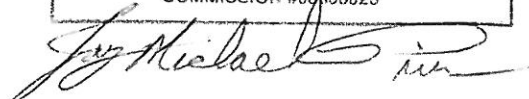
The above Resolution was passed upon unanimous vote of the Members of the Board of the Four Seasons Lakesites Property Owners Association, Inc. on the 19th day of October, 2010.



Michael R. Becker, Secretary
President



Nancy B. Cason,



State of Missouri)
)ss.
County of Camden)

On this 19th day of October, ²⁰¹⁰, before me, a Notary Public in and for the said state, personally appeared MICHAEL BECKER, NANCY CASON, JOSEPH ROEGER, MARY B. BUSTIN, JAMES T. HOLCOMB AND JOHN AMANN, known to me be the persons who executed the foregoing instrument in writing, and acknowledged to me that they executed the same as a free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



NOTARY PUBLIC

My commission expires: 3-18-2012

JAY MICHAEL PRINCE
Notary Public - Notary Seal
State of Missouri
Commissioned for MILLER County
My Commission Expires: Mar. 18, 2012
COMMISSION #08506023