



Applewood Heights

Applewood Heights Homeowner's Association

Annual Meeting

November 1, 2017

Covenant Amendment Committee

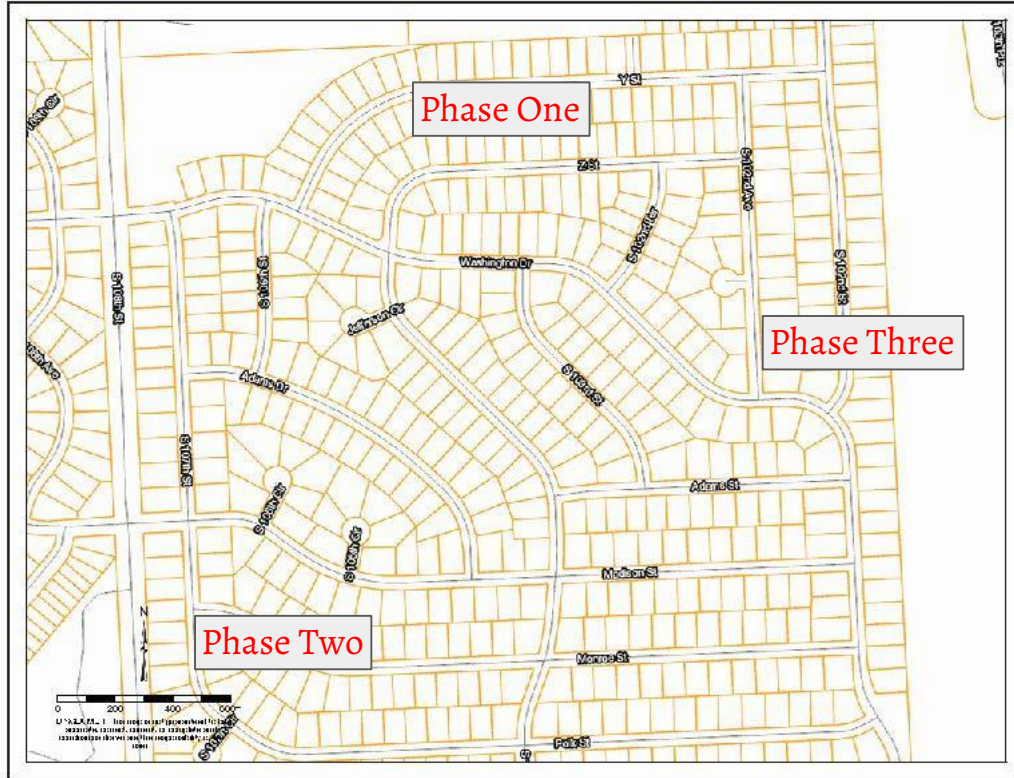
It's time to update the covenants in Applewood Heights.

- Organizing the Committee
- Amendment Process
- Available Resources



Applewood Heights

Applewood Heights' Three Distinct Covenants by Phase

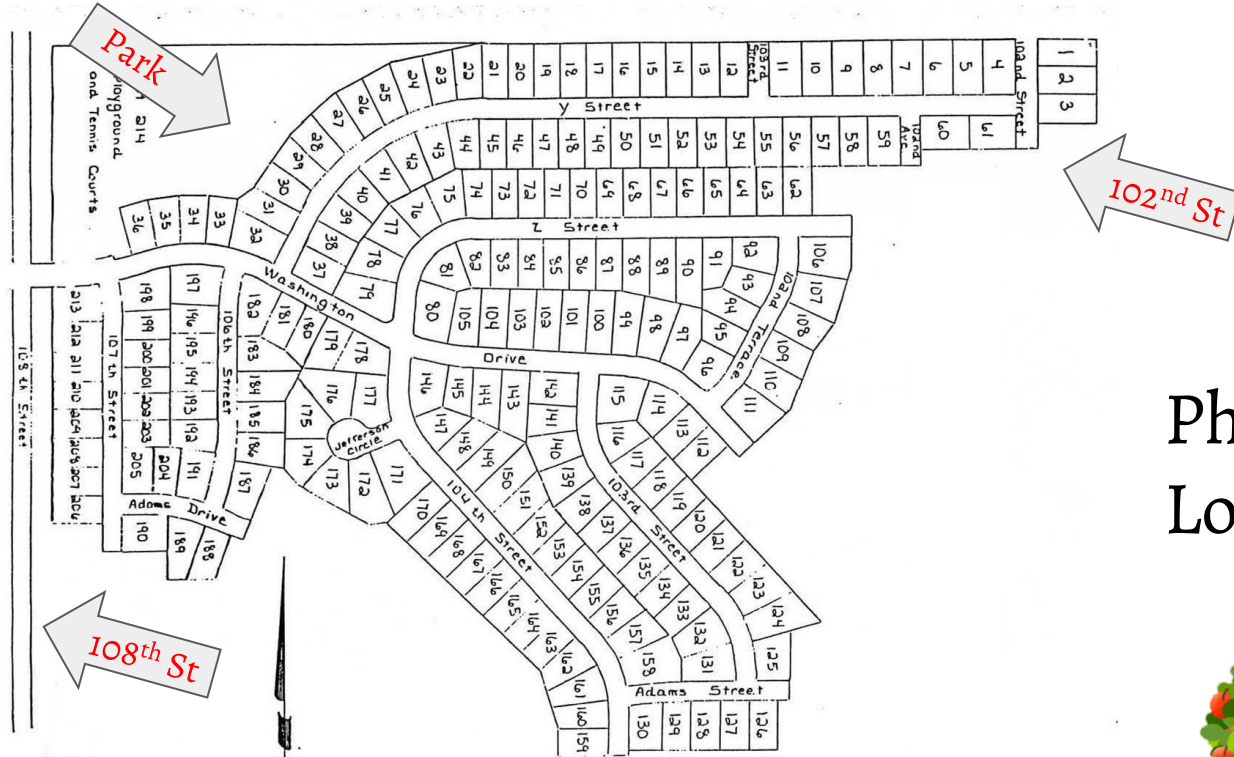


Entire
Neighborhood



Applewood Heights

Applewood Heights' Three Distinct Covenants by Phase



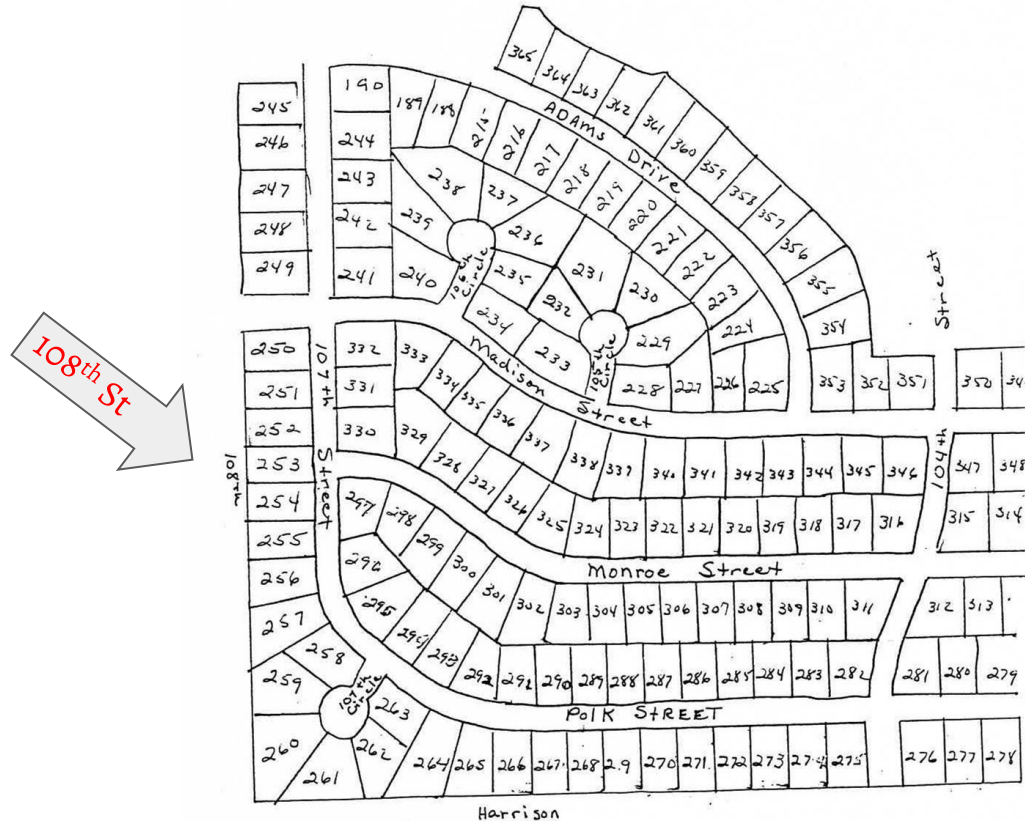
Phase One

Lots 1-213



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Applewood Heights' Three Distinct Covenants by Phase

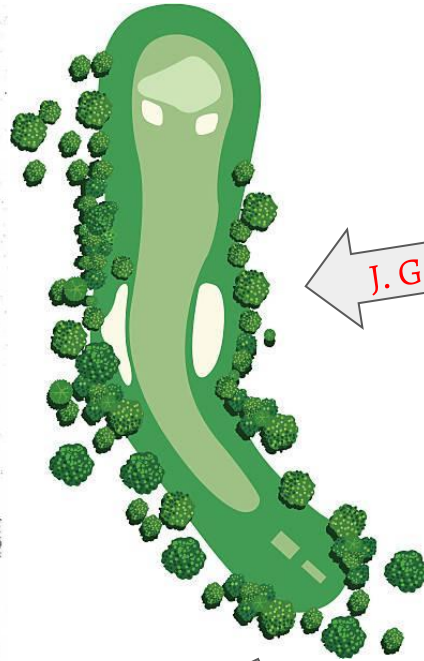
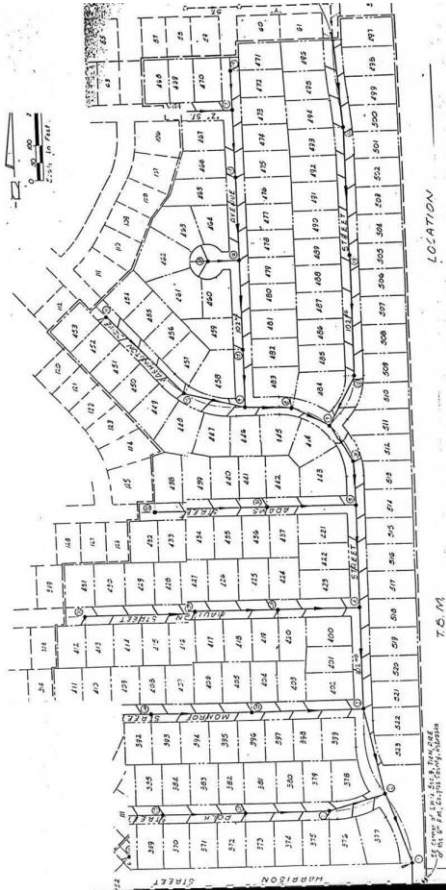


Phase Two
Lots 214-365



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Applewood Heights' Three Distinct Covenants by Phase



J. Goodman Golf Course

Phase Three
Lots 366-523

Harrison St



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Applewood Heights' Three Distinct Covenants by Phase

While *most* pieces of the covenants are the same across all phases, there are notable differences.

- **Trees:** Phase One requires two trees of a limited kind. Phase Two requires two 'deciduous' trees. Phase Three has no tree requirements by lot.



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Applewood Heights' Three Distinct Covenants by Phase

While *most* pieces of the covenants are the same across all phases, there are notable differences.

- **Fences:** Phase One and Two require fences be constructed of 'wood, brick, or stone.' Phase Three covenants allow fences to be constructed of any material approved by the Architectural Control Committee (except for wire or chain-link fences).



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Applewood Heights' Three Distinct Covenants by Phase

While *most* pieces of the covenants are the same across all phases, there are notable differences.

- **Trash:** Phase One and Two covenants limit homeowners from placing garbage cans outside before 10:00 p.m. the evening before pickup. Phase Three does not have any similar restrictions.



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Applewood Heights' covenants could be updated...

- The 'seven-day rule':
 - “No automobile, boat, camping trailer, van-type campers, auto-drawn trailer of any kind, mobile home, motorcycle, snowmobile or other self-propelled vehicles shall be stored outside of the garage. For purposes of the preceding provision, ‘stored outside of the garage’ shall mean, parking the vehicle or trailer overnight on the driveway, or any other part of the Lot, outside of the garage, for seven (7) or more consecutive days.”
- Other HOAs specifically limit storage of trailers, RVs, boats, campers, etc.
 - Cimarron Woods: 48 hrs in a calendar year
 - Armburst Acres: 20 days in a calendar year



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Applewood Heights' covenants could be updated...

- Sheds:
 - Detached “accessory buildings” are not permitted.
- Construction:
 - Provisions regarding construction of foundations, fireplaces, furnace flues, prefabricated dwellings, log houses, sidewalks, water drainage plans, etc.



Applewood Heights

Some of our covenants are unnecessary...

The Omaha Municipal Code (city rules) restricts when a homeowner can place trash containers at the curb. (Between 5:00 p.m. the day before and 10:00 a.m. the day after trash pickup.) The Code also restricts home occupations. Having similar restrictions in Applewood Heights' covenants could be redundant.



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Some of our covenants could be written more clearly...

Covenant amendments require written consent of 75% of all lot owners. This is a significant hurdle for future updates. Ironically, the covenants can be terminated by a simple majority.



Applewood Heights

Prior Attempts to Amend Covenants

- Roofing amendment passed in January 2012 for all Phases
- Amended and Restated Covenants
 - Voted on in fall of 2014
 - 335 returned ballots (64%)
 - 84% of returned ballots voted “For”
 - Effectively 54% “For” Votes



Where do we go from here?

Form a working committee, separate from the Board of Directors but still under its oversight:

- Five to ten members
- That group will select its own chairperson



Applewood Heights

Where do we go from here?

Amendment Process

- Three to four planning meetings between now and July
- Attorney will draft covenant changes
- Committee will present proposed changes to the Board of Directors
- Board will vote on revisions
- 2018 association-wide vote



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2018 Vote

We'll need a 'yes' vote from 75% of all Applewood Heights property owners. We'll also work to reach lot owners for their input two other ways:

- Mailed ballots
- Door-to-door canvassing for remaining votes

If revisions are approved, they will be updated with the Douglas County Register of Deeds.



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The committee will not tackle this alone.

Our Board of Directors has identified resources for volunteers:

- Meeting space with refreshments
- \$1,000 initial budget
- Attorney support



Applewood Heights

Questions?

- Leave name and address with Robyn or email:
 - president@applewoodhoa.com
 - secretary@applewoodhoa.com
 - treasurer@applewoodhoa.com
 - memberatlarge@applewoodho.com
 - robyn@applewoodhoa.com
- **Amend Bylaws?**



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