

**UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF  
CANEWOOD HOMEOWNERS ASSOCIATION, INC.**

July 27, 2017

Pursuant to KRS Chapter 273, we, Bob Shepard, Missy Winchell, Chris Johns, Carl Mack, and Carl Smith, being the five members of the Board of Directors of Canewood Homeowners Association, Inc., a Kentucky non-profit, non-stock corporation (hereinafter referred to as “*Association*”), and pursuant to the Association’s Bylaws and Articles of Incorporation, unanimously consent to the following Preamble and Resolutions and the actions authorized pursuant to these Preamble and Resolutions:

WHEREAS, the Association was created pursuant to those certain Restrictions and Covenants for Canewood Subdivision, Unit 1-A, Section 1, of record in the Scott County Clerk’s Office in Miscellaneous Book 7, Page 42 (the “*Declaration*”), to which additional properties, lots and common areas have been submitted, via Declaration of Submission, and subjected to additional Restrictions and Covenants (the “*Restrictions*”);

WHEREAS, pursuant to Section 16(b) of the Declaration and Article III of the Association’s Articles of Incorporation, the purpose of the Association is to promote the social welfare and serve the common good and general welfare of its members;

WHEREAS, pursuant to Section 17 of the Association’s duly adopted Bylaws, the Association, through the Board, may make, modify, and enforce reasonable rules, regulations and policies (i) governing the use, maintenance, and upkeep of the Property, the Common Areas and all Lots; and (ii) prescribing the policies and procedures for levying Dues and Assessments, levying fines or other sanctions, and enforcing violations of the Declaration, the Restrictions, these Bylaws, and any Rules, Regulations or Policies issued by the Board (the “*Rules, Regulations and Policies*”), consistent with the rights and duties established in the Declaration, the Restrictions, these Bylaws and Kentucky law;

WHEREAS, pursuant to Section 20 of the Association’s duly adopted Bylaws, the Board shall have all rights, authority and powers allowed or permitted by law to enforce the Declaration, the Restrictions, the Bylaws, and the Rules, Regulations and Policies;

WHEREAS, Section 3(e) of the Restrictions states:

No basketball goal shall be erected without the prior written approval of Developer. No basketball goal shall be erected in common areas.

WHEREAS, after consideration of the facts and circumstances surrounding the interpretation and enforcement of the basketball goal restriction set forth in Section 3(e) of the Restrictions, for the purpose of promoting the good of the Association and the community as a whole, and pursuant to its duty to enforce the Restrictions, the Board of Directors finds that it is in the best interest of the Association and its members to interpret and enforce Section 3(e) of the Restrictions in a manner to provide the Association's members with clear guidance as to permitted and non-permitted basketball goals.

NOW, THEREFORE, BE RESOLVED THAT, the Association shall interpret and enforce Section 3(e) of the Restrictions as set forth in the policy attached hereto as **Exhibit A**; and

FURTHER RESOLVED, that the proper Officers of the Association are hereby directed to do all such other things, as they deem desirable to effectuate and carry out the purposes and intents of the foregoing resolution, the necessity, appropriateness or desirability of which shall be conclusively evidenced by the taking of such actions or such execution and delivery, in order to carry out fully and promptly each of the foregoing resolutions and the intent and purpose thereof, including the execution of any agreements relating to the subject matter hereof.

***[SIGNATURE BLOCK ON NEXT PAGE]***

WITNESS THE SIGNATURES of Bob Shepard, Missy Winchell, Chris Johns, Carl Mack,  
and Carl Smith, being all of the members of the Board of Directors of Canewood Homeowners  
Association, Inc., a Kentucky non-profit, non-stock corporation.

This 27<sup>th</sup> day of July 2017.

DocuSigned by:  
*Christopher R Johns*  
9CE3858DA03F447...  
Chris Johns

DocuSigned by:  
*Missy Winchell*  
9FE8BB59D243438...  
Missy Winchell

DocuSigned by:  
*Bob Shepard*  
9886002E05F640A...  
Bob Shepard

DocuSigned by:  
*Carl Mack*  
B8C852CB21164F1...  
Carl Mack

DocuSigned by:  
*Carl Smith*  
5B62E20D8E6542F...  
Carl Smith

**EXHIBIT A**

**Basketball Goal Policy**

**Canewood Homeowners Association, Inc.**  
**Basketball Goal Policy**

Pursuant to Section 3(e) of its restrictive covenants, no basketball goals shall be erected or placed on a Lot, without the prior written approval of the Canewood Homeowners Association, Inc., as the assignee of all Developer Rights under the applicable Covenants and Restrictions.

**Definition**

The term “Basketball Goal” as used in the Restrictions includes any and all components of a basketball goal system including, but not limited to, its base backboard, rim, net, pole, mounting, hardware, base (if portable), ground connection (if permanent), and all related materials and accessories.

**Location**

Any basketball goal, whether permanent or movable, may only be located (i) on the driveway no nearer to the street than half-way between the house and the sidewalk, or (ii) the rear of the Lot, which shall be defined as the area bounded by the rear walls of the house, the rear property line, and the lines that are parallel to and extending from the two walls that are closest to the side property lines. All permanent Basketball Goals must be connected to the ground by a dedicated pole and no Basketball Goals are permitted to be attached to a residence or other structure located on a Lot. No basketball goal shall be placed on the street, sidewalk or utility strip in the front of the lot or in any common areas at any time. The poles of portable Basketball Goals shall be in the vertical position at all times, otherwise it may be stored in a garage.

**Construction**

All portable basketball goals must be internally-weighted and stabilized pursuant to the manufacturer’s recommendations and without the use of exterior sandbags, concrete blocks, rocks, weights, or other similar materials. All poles and bracing structures must be of metal or wood construction and painted in black or white. All Backboards shall be transparent with no paintings or markings other than the factory applied graphics which were adhered at the time of purchase. All rims must have a net attached at all times, and all nets shall be constructed out of natural or synthetic fabric. Chain nets are not permitted.

**Maintenance**

All components of a Basketball Goal must be maintained and kept in good repair at all times. At no time shall any Basketball Goal exhibit rust; chipped or peeling paint; bent rims; frayed, discolored, or missing nets; poles that are not perpendicular to the ground; broken backboards; or any other similar condition.

**Lighting**

No lighting or illumination for the purposes of playing or furthering the play of basketball shall be attached or detached to the goal, backboard or support structure, and the Developer shall have sole discretion to review any lighting or illumination for purposes of this restriction.

**Approval and Request for Exemption, Approval, and Sactions**

Provided that a Basketball Goal complies with the above-referenced criteria, including construction and maintenance, this Basketball Goal Policy shall be considered written approval pursuant to Section 3(e) of the Restrictions. An owner may apply for an exemption from the above-referenced criteria with the Association. If an Owner has any questions as to whether a proposed Basketball Goal satisfies the above-referenced criteria, he or she may request an opinion and written approval. Failure to comply with the Basketball Goal Policy is subject to enforcement and sanctions pursuant to the Association’s Fine and Enforcement Policy dated June 30, 2017.

Adopted by the Board of Directors of the Canewood Homeowners Association, Inc., dated the 27<sup>th</sup> day of July, 2017.

By:  \_\_\_\_\_  
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Name: Missy winche11  
Missy Winchell, its Secretary