

LVA Board Meeting 3-10-26

Agenda

1. Call to order
2. Roll call
3. Review minutes 2-10-26
4. Open discussion before the board
5. Treasurer Report
 - a. Bills
 - i. Brett Fischer - \$62.43; Boat ramp lock and keys
 - ii. Yost LawFirm - \$8,799.00; unpaid legal fees
 - iii. Dvorak LawFirm - \$2,610.50; legal fees for Lot 14 roof, Lot 14 Hedge and Lot 42 Roof
6. Committee reports
 - a. Architectural Committee - no meeting held
 - b. Lake
 - c. Planning/Party
 - d. Improvement
 - e. Boat
7. Old business
 - a. Legal Update
 - i. Lot 14 roof – No new response
 - ii. Lot 42 roof – Review Attorney response, counterclaim and interrogatories
 - iii. Lot 15/14 – received Attorney response, currently in violation of Covenant 12, all trees greater than 6 feet
 - b. Boat ramp/boat launch
 - i. Lock has been changed
 - ii. Email sent out to homeowners all paperwork must be submitted and reviewed prior to launch (email paperwork or use new mailbox)
8. New Business
 - a. New improvement worksheets
 - i. Construction/Improvement Worksheet
 - ii. Roof/Exterior Worksheet
 - iii. Propane Worksheet
 - b. Annual meeting
 - i. Finalize Agenda

- ii. Board member/elections
 - iii. Review items up for vote (show hand or written)
 - iv. Zoom set up
 - v. Sign in sheets
 - vi. Refreshments
 - vii. Ballots
 - viii. Other needs
 - c. Handbook work group
 - i. Ellen Kramer to present
 - ii. Community Input Meeting
9. Adjournment/Next Meeting

Lake Ventura Association

5003 Ventura Dr
Fremont, NE 68025
lakeventura@aol.com



LAKE VENTURA ASSOCIATION

BOARD OF DIRECTORS MEETING MINUTES

DATE: March 10, 2026

TIME: 6:37 PM

LOCATION: Home of Brett Fischer, 5131 Ventura Dr.

1. CALL TO ORDER

The meeting was called to order by President Brett Fischer at 6:37 PM.

2. ROLL CALL

Board Members Present:

- Brett Fischer (President)
- Mary Haskins (Vice President)
- Thomas Snodgrass (Member at Large, acting for the Secretary)
- Karen Ferrin (Treasurer)

Board Members Absent:

- Ellen Jansen (Secretary)

Guests Present:

- Steve Alcorn (Homeowner and Lake Committee member)

Approval of Minutes:

The minutes from the February 10, 2026, meeting were reviewed. Mary Haskins moved to approve the minutes as written; Karen Ferrin seconded. Motion passed unanimously.

3. TREASURER'S REPORT

Karen Ferrin presented the financial standing:

- Checking Account: \$28,035.33 (Starting balance).
- Savings Account: \$19,320.23.
- Ending Checking Balance: \$3,861.43 (following payment of overdue legal fees).

Legal Expense Audit:

The Board reviewed a significant \$10,075.50 billing from Dvorak Law Group. It was noted that a previous mailing address error had caused several months of invoices to be delayed. The Board verified the breakdown of these charges: SID-related issues (\$3,750.00), the Lot 14 roof dispute (\$4,617.50), and the Lot 42 Johnson case (\$3,900.00).

4. BILLS FOR APPROVAL

The following invoices were presented for payment:

- Ace Hardware: \$60.43 (Boat ramp lock and keys).
- Dvorak Law Group: \$8,799.00 (Net overdue balance) plus current invoices of \$247.00 and \$1,258.48 (John Svoboda).

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Karen Ferrin moved to pay the bills as presented; Thomas Snodgrass seconded. Motion passed unanimously.

5. COMMITTEE REPORTS

A. Architectural Committee

Brett Fischer reported no new requests or presentations for March. The committee remains focused on the long-term project of redeveloping association forms and digital archives for the spring session.

B. Lake Committee

Thomas Snodgrass and Steve Alcorn provided an update on several key initiatives:

- Alum Treatment: The committee recommended holding a pre-meeting session at 12:30 PM on the day of the annual meeting (March 22) with Dr. John Holtz to address specific member concerns before the vote.
- Fish Habitat: 30 structures were successfully completed and weighted on February 15. The Board reviewed a request for an additional \$1,000.00 for materials to reach the final goal of 100 structures. The committee reaffirmed that all finalized locations and designs will be presented to the Board for approval before final placement.
- Boat Ramp: A third bid was received from Thompson Construction in the \$50,000 range. This proposal utilizes "ArmorFlex" interlocking concrete, which the committee believes offers superior longevity compared to traditional poured concrete.

C. Improvements and Grounds

The Board reviewed the \$5,000.00 annual cost associated with Christmas light installation and removal. Mary provided a status update on the Founders Monument project, noting that installation is nearing completion.

6. OLD BUSINESS

Legal Strategy and Covenant Enforcement:

The Board discussed the status of current litigation handled by John Svoboda of Dvorak Law Group. While a court response is still pending for the Lot 14 roof case, the Board is actively preparing for the discovery phase and potential depositions in the Lot 42 (Johnson) case. The Board emphasized that these legal actions are necessary to obtain a court "Declaration" to protect the long-term integrity of the Association's covenants.

7. NEW BUSINESS

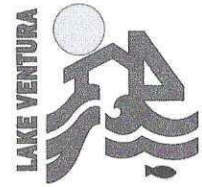
2026 Annual Meeting Planning (March 22 at RVR Bank):

The Board finalized the agenda for the upcoming meeting at 1:00 PM. The three critical referendums for the member ballot were confirmed:

1. Special assessment for the Alum treatment.

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2. Progressive dues increase toward an \$800.00 annual goal to fund proactive maintenance.
3. Re-establishing two-term limits for Directors to ensure board rotation.

Lot 14/15 Hedge Violation Enforcement:

The Board deliberated on the ongoing non-compliance of Lot 14 regarding a hedge row obstructing lake views. Despite being given three choices (neighbor approval, removal, or trimming), the owners have taken no action.

- Thomas Snodgrass moved to formally find Lot 14 in violation of Covenant 12; Karen Ferrin seconded. (Brett Fischer abstained). Motion passed.
- Mary Haskins moved to restrict the owners of Lot 14 from lake and common area use per Handbook Page 33 until the violation is resolved; Karen Ferrin seconded. (Brett Fischer abstained). Motion passed.

Invasive Species Prevention and Boat Launch Procedures:

To protect the lake from invasive species, the Board established a strict vetting process for the 2026 season. No boats will be launched without complete documentation submitted 48 hours in advance via the new online sign-up system. Access to the ramp will be denied if documentation is not vetted two days prior.

8. ADJOURNMENT

The Board noted that the next regular meetings will be scheduled following the results of the annual meeting.

Motion to adjourn made by Thomas Snodgrass; seconded by Karen Ferrin. Meeting adjourned at 9:15 PM.

Minutes Submitted By:

Thomas Snodgrass, Acting for the Secretary

Feb

Treasurer's Report LVA Meeting

Checking Account
Savings Account

28,035.33
19,322.23

Beginning \$ 28,035.33
Deposits _____
Interest 8.52

Checks written from _____ to _____

Check #		Amount
2467	Brett Fricker - stamps + Envelopes	\$ 33.93
2472	" " - mailings	24.00
2475	Dvorak Law - Johnson	2803.50
2476	Broad Nook - fish habitat	1000.00

Total \$ out 3861.43

Balance in checkbook # 3861.43
Savings # 19,322.23

Yost, Lamme, Hillis, Mitchell, Schulz,
Hartmann, Wilson & Borgmann P.C.
81 West 5th Street
Fremont, NE 68025
402-721-6160

Invoice

Federal ID # 47-0622189

PAST DUE

Invoice #: 4428
Invoice Date: 12/19/2025
Due Date: 1/18/2026

Bill To:

Lake Ventura
5131 Ventura Drive
Fremont, NE 68025

Date of Se...	Class	Item	Description	Hours	Rate	Amount
6/18/2025	DCM	DCM LEG...	Review and consider Complaint filed by Dr. Clegg	0.5	345.00	172.50
6/19/2025	DCM	GBH Lega...	Reviewing pleadings and researching Waiver of Declarations as well a other possible defenses to Complaint.	1	200.00	200.00
6/19/2025	DCM	DCM LEG...	Communications with Brett Fischer regarding Clegg lawsuit; detailed review of Complaint and Summons and legal research	1.5	345.00	517.50
7/7/2025	DCM	DCM LEG...	Detailed review of community letter from Brett Fischer and consider same	0.3	345.00	103.50
7/8/2025	DCM	GBH Lega...	Further research into Promissory Estoppel and waiver of enforcement of HOA Restrictions; compiling into memo for DCM.	0.5	200.00	100.00
7/8/2025	DCM	GBH Lega...	Reviewing all documentation in file and compiling into binder for DCM.	1	200.00	200.00
7/8/2025	DCM	DCM LEG...	Office conference with associate to discuss legal research results concerning waiver and estoppel; detailed review of case law and research summaries; detailed review of material submittals from Brett Fischer; review Complaint and By-Laws, Covenants and other foundational materials; consider alternatives; attend meeting with Board at Lake Ventura and return	4.4	345.00	1,518.00

Total

Payments/Credits

Balance Due

Please make checks payable to Yost Law Firm

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Fremont, NE 68025
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Date of Se...	Class	Item	Description	Hours	Rate	Amount
7/14/2025	DCM	DCM LEG...	Prepare for telephone conference with opposing counsel; telephone conference with counsel; further follow up telephone conference with Brett Fischer; draft Stipulation to extend responsive pleading date to August 17th	0.8	345.00	276.00
7/15/2025	DCM	DCM LEG...	Dialogue with Brett Fischer regarding weathered wood shingles as it relates to the Clegg roof matter; follow up with Brett; further online research regarding weathered wood shingles	0.9	345.00	310.50
7/16/2025	DCM	DCM LEG...	Prepare initial draft Answer to Complaint	0.4	345.00	138.00
7/24/2025	DCM	GBH Lega...	Legal research	1	200.00	200.00
7/25/2025	DCM	DCM LEG...	Continued work on pending matters including further detailed review of platting history and plat dedication language in comparison to covenant language; review of lot line legal periodicals; follow up with client representatives	1.25	345.00	431.25
8/1/2025	DCM	DCM LEG...	Telephone conference with Brett Fischer to discuss current status of SID claims and other related claims	0.4	345.00	138.00
8/6/2025	DCM	GBH Lega...	Researching Powers of SID; SID Ownership of Lakes; SID statutory restrictions and case law relating to the determination of lake lot lines.	0.5	200.00	100.00

Total

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8/6/2025	DCM	DCM LEG...	Detailed review of statutory and case law regarding SID ownership of private lakes and property, lakes/river lot boundaries and relevance to present SID dispute	0.9	345.00	310.50
8/7/2025	DCM	DCM LEG...	Telephone conference with Brett Fischer to discuss outcome of board meeting and further follow up	0.25	345.00	86.25
8/11/2025	DCM	DCM LEG...	Prepare draft Answer in connection with Clegg matter	0.7	345.00	241.50
8/18/2025	DCM	DCM LEG...	Telephone conference with Brett Fischer regarding SID 3 claim, position of Board and procedure moving forward with reply letter to SID and also next steps with regard to Clegg claim	0.4	345.00	138.00
8/19/2025	DCM	DCM LEG...	Review and consider email from Brett Fischer; follow up concerning same	0.25	345.00	86.25
8/21/2025	DCM	DCM LEG...	Continued work on pending matters	2	345.00	690.00
8/22/2025	DCM	DCM LEG...	Review and revise letter to SID; submit same to Brett with brief cover	0.4	345.00	138.00
8/25/2025	DCM	DCM LEG...	Weekend communications and other monitoring of SID claim; follow up communications with Brett Fisher; finalize letter for dispatch	1.75	345.00	603.75
8/26/2025	DCM	DCM LEG...	Review and consider email from Mary Haskins regarding revisions to letter and follow up concerning same	0.25	345.00	86.25
9/9/2025	DCM	DCM LEG...	Follow up with Brett Fischer regarding status of pending matters; email to opposing counsel	0.5	345.00	172.50

Total

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Balance Due

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Date of Se...	Class	Item	Description	Hours	Rate	Amount
9/22/2025	DCM	DCM LEG...	Follow up with Josiah Shanks regarding Clegg matter	0.25	345.00	86.25
9/29/2025	DCM	DCM LEG...	Review and consider letter from Brett Fischer regarding Lake Ventura position on Lot 92 and SID #3 dispute; follow up concerning the same; review of community letter and follow up with Brett with suggested edits	1.3	345.00	448.50
10/1/2025	DCM	DCM LEG...	Follow up on various pending matters	0.6	345.00	207.00
10/2/2025	DCM	DCM LEG...	Review of correspondence concerning Lot 42 roof matter; follow up communications	0.3	345.00	103.50
10/8/2025	DCM	GBH Lega...	Further research of HOA Covenant Waiver and draft memo of the same, correspondence with DCM regarding updated research.	1	200.00	200.00
10/14/2025	DCM	DCM LEG...	Detailed review and consideration of memo concerning waiver of restrictive covenants; forward same to Board for consideration	0.25	345.00	86.25
10/27/2025	DCM	DCM LEG...	Discussions with Brett concerning SID matters and request of SID to have informal direct discussions and issues relating to same	0.4	345.00	138.00
11/3/2025	DCM	DCM LEG...	Review and consider text message from Brett concerning Lot 92; telephone conference with Brett to discuss status of SID matters and protocol moving forward; further discussion concerning other pending matters	0.5	345.00	172.50

Total

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5131 Ventura Drive
Fremont, NE 68025

Date of Se...	Class	Item	Description	Hours	Rate	Amount
11/4/2025	DCM	DCM LEG...	Review and consider draft LVA letter from Board to Ellen Janssen; follow up concerning same	0.25	345.00	86.25
11/5/2025	DCM	DCM LEG...	Draft and submit suggested changes to Ellen Janssen letter	0.2	345.00	69.00
11/11/2025	DCM	DCM LEG...	Follow up with Josiah Shanks regarding variety of colors of weathered wood shingles	0.25	345.00	86.25
11/12/2025	DCM	DCM LEG...	Telephone conferences with Brett Fischer regarding various matters concerning Ventura including other recent after hours discussions; review and consider email	1.9	345.00	655.50
11/13/2025	DCM	DCM LEG...	Consultation regarding all open issues	0.75	345.00	258.75
11/18/2025	DCM	DCM LEG...	Detailed review of proposed SID notice and consider the same and follow up with Brett with recommendations to decline execution of the same	0.7	345.00	241.50
11/19/2025	DCM	DCM LEG...	Follow up with Brett regarding 10-foot strip issue claimed by the SID with opinion as to motivations behind draft language	0.3	345.00	103.50
12/15/2025	DCM	DCM LEG...	Telephone conference with John Svoboda regarding status of matters for representation by John	0.5	345.00	172.50
7/9/2025	DCM	DCM COS...	Nebraska.gov online research		1.00	1.00
8/6/2025	DCM	DCM COS...	Nebraska.gov online research		1.00	1.00

Total \$10,075.50

Payments/Credits \$0.00

Balance Due \$10,075.50

Please make checks payable to Yost Law Firm



Notice of Violation

February 24, 2026

Dr. and Mrs. Clegg:

Regarding the previously addressed issue relating to the trees placed along your property line, the board has determined that the trees are now in violation of LVA Covenant #12, (LVA Handbook; see below). This issue was also addressed in the letter dated June 2nd, 2025 at which time the board advised paths to ensure compliance. However, currently, all 24 trees that comprise the hedge in question are over the 6' limit which constitutes a violation.

12. No fence or hedge or tree shall be erected or maintained which shall unreasonably restrict or block the view of the lake and neighborhood area from an adjoining lot. For this purpose, hedges and fences shall not exceed six feet in height, unless the property owner obtains written permission from all adjoining property owners and the Lake Ventura Association Board of Directors.

(Amended March 16, 1997)

- a. NEW privacy fence or hedges that block ANY view to the lake shall not be allowed.*
- b. No additional (private) chain link fences allowed.*
- c. Wood/Non-wood fences (earth tones) shall be permitted.*

*** (Adopted 3-7-07)**

If you would like to request a review of this complaint, please respond in writing (if via email, please email at least 2 board members), by February 28th. See pages 32-33 of the handbook for further process and procedure information, including potential remedies that will be directed by the board. It should be noted that failure to satisfactorily address this may result in loss of access to the lake. If no review is requested, this violation determination will be deemed final.

Do not hesitate to reach out to any board member with any questions or concerns.

Sincerely,

Board of Directors
Lake Ventura Association
5003 Ventura Drive
Fremont, NE 68025

CC: Brett & Kris Fischer



CHANDLER | CONWAY

PC, LLO

1018 Dodge Street, Suite 5
Omaha, Nebraska 68102-1125

17504 Wright Street, Suite 101
Omaha, Nebraska 68130-2192

Telephone: (402) 933-6858
Fax: (866) 929-7939
www.CHANDLERCONWAY.COM

justin@chandlerconway.com

February 27, 2026

Lake Ventura Association
Board of Directors
c/o John Svoboda
Dvorak Law Group
9500 W. Dodge Rd.
Omaha, NE 68114

RE: Dr. and Mrs. Clegg
Notice of Violation dated February 24, 2026

Dear John,

As you know, I represent the Cleggs on certain matters pertaining to their relationship with their neighbors and the Board of Directors of the Lake Ventura Association (the "Board"). I am in receipt of a Notice of Violation dated February 24, 2026, regarding certain trees on the Cleggs' lot. The Cleggs asked me to respond on their behalf. Please forward this letter to the Board, as they requested a written response by February 28, 2026.

The Cleggs dispute the Notice and request that the Board rescind the Notice.

The Board is aware, of course, that it previously approved the trees at issue on more than one occasion. Several times, the Cleggs conferred with the prior president and Board members regarding the trees, and specifically notified them that if the trees would be a violation, they would not purchase them. The Board consistently reiterated that the trees were acceptable and did not violate the covenants.

Indeed, the Cleggs submitted a written request for approval and received formal approval from the Board prior to installing the trees.

Despite the Board's clear and unambiguous approval of the trees, the Fischers objected and threatened litigation against the Board. In an effort to be neighborly, the Cleggs, despite being in the right, agreed to a negotiated compromise and removed three of the trees. Afterwards, the former president of the Board told the Cleggs that there would be no further action regarding the trees.

Yet, now, after a change of the Board's composition, the Board seeks an unidentified remedy to a situation it created when it approved the tree installation.

The Board affirmatively represented that the trees did not violate the covenants and permitted their installation. The Cleggs relied upon that representation and paid a significant amount to install the trees. It would be a fundamental inequity for the Board to change its position now. Should the Board seek a remedy through litigation, it will be estopped under the Court's equitable authority.

A party can simply not renege on a prior agreement after the other party relies upon it. This Board is bound by the prior Board's approval, despite the change in composition. It is also worth noting that identical rows of trees exist in the neighborhood and have for years, without any enforcement actions by the Board.

That said, the Cleggs have simply been attempting to be good neighbors throughout this process. The Notice does not specify the remedy the Board seeks. Should the Board decline to adhere to its prior representations and rescind the Notice as requested, my clients would like clarification on what the Board is demanding.

Please do not hesitate to contact me with any questions or concerns.

Best Regards,

A handwritten signature in cursive script, appearing to read "Justin Pritchett", written in dark ink.

Justin W. Pritchett

Lake Ventura Association
5003 Ventura Dr
Fremont, NE 68025
lakeventura@aol.com



DATE: March 18, 2026

TO: Dr. and Mrs. Clegg

ADDRESS: 5125 Ventura Dr, Fremont NE 68025, mjclegg@gmail.com

RE: NOTICE OF FINAL DETERMINATION – COVENANT 12 VIOLATION (HEDGE ROW)

Dear Dr. and Mrs. Clegg,

You are hereby notified that the Lake Ventura Association (LVA) Board of Directors has concluded its formal review regarding the hedge row situated between Lot 14 and Lot 15. The Board has determined the property to be in continued violation of Covenant 12. Pursuant to the Association's authority, the Board has also voted to suspend your access, and the access of your guests, to all lake facilities until this violation is fully resolved.

1. ENFORCEMENT PROCEDURE

The Board has strictly adhered to the Association's 8-step procedure for the enforcement of rules, regulations, and covenants. A summary of those proceedings is as follows:

- **Step 1: Complaint Filed** – On January 20, 2026, the owners of Lot 15 (the Fischers) filed a formal complaint stating that the hedge row between Lot 14 and Lot 15 was in violation of Covenant 12.
- **Step 2: Board Investigation** – The Board conducted an investigation and confirmed that the hedge row exceeds the maximum allowable height of six feet (6'). We note that a prior advisory was issued to you on June 2, 2025, warning that exceeding this height would constitute a covenant violation.
- **Step 3: Determination of Probable Violation** – On February 4, 2026, the Board met and voted that the complaint represented a probable violation. Formal notice was dispatched to you on February 24th, informing you of this determination and requesting your review and response.
- **Step 4: Respondent Review and Response** – The Board received a formal response from your legal counsel, Justin W. Pritchett, dated February 27, 2026.



- **Step 5: Schedule Final Review** – The final review of this matter was scheduled for and held during the regular board meeting on March 8, 2026.
- **Step 6: Review of Evidence** – Board members were provided with copies of your February 27th letter and reviewed all relevant evidence. The Board addressed your specific objections as follows:
 - **Claim of Prior Approval:** You asserted that the Board previously approved the hedge. The Board found that even if such approval existed, it is insufficient under the governing documents. Covenant 12 explicitly requires the written consent of all adjoining lot owners. The owners of Lot 15 have attested that no such permission was ever granted. The Board has no authority to waive or supersede the rights of an adjoining lot owner.
 - **Existing Hedges Elsewhere:** You noted that similar hedge rows exist elsewhere in the community. While this is true, those hedges are subject to the same requirements. Your specific installation fails to meet the requirement of written approval from the adjoining neighbor.
- **Step 7: Final Violation Determination** – At the meeting on March 8, 2026, the Board held a formal vote. The Board determined that the hedge row on Lot 14 is a violation of Covenant 12 due to the failure to obtain written approval from the owners of Lot 15. The vote passed with 4 members in favor; Brett Fischer, Board President, abstained.
- **Step 8: Enforcement** – The Board voted to restrict Lot 14 from lake access effective immediately. This vote also passed with 4 members in favor and 1 abstention (Fischer). The Board felt that ample warning had been provided and that there is still sufficient time to rectify the issue before the lake season begins.

2. REQUIRED REMEDIES

To resolve this matter and restore lake access, you must pursue one of the following paths:

- **Option A: Mediation and Consent.** Reach a private agreement with the owners of Lot 15 that results in their written approval of the hedge row as it currently stands. Upon receipt of a signed copy of this agreement, the Board will rescind the violation.
- **Option B: Physical Compliance.** If a private agreement cannot be reached, the remaining 24 trees in the hedge row must be brought into compliance. This involves either maintaining the entire hedge at a height significantly below six feet (6') or removing the trees entirely.

Lake Ventura Association
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3. LEGAL REPRESENTATION AND CORRESPONDENCE

You are welcome to engage legal counsel to respond to this notice on your behalf. However, please be advised that all official responses and correspondence must be sent **directly to the Lake Ventura Association** at the address listed on this letterhead.

Please instruct your counsel **not** to send correspondence to the Association's attorney. The previous response from your attorney was sent to our legal counsel, which resulted in a \$250 administrative fee charged to the Association simply for processing and forwarding. To ensure efficient communication and to prevent further unnecessary legal expenses, direct communication with the Board is required.

4. CONCLUDING STATEMENT OF THE BOARD

The Board wishes that this situation could have been avoided. New and long-standing members of the Board alike have dedicated significant time to negotiating a compromise that all parties could accept. However, at this juncture, the Board finds that the wording of Covenant 12 is precise and unambiguous. We have no option other than to enforce the covenant as written, as this is the only way to ensure fairness and consistent application of the rules for all members of the Association.

Please notify the Board in writing of your intended course of action by **March 25, 2026**.

Sincerely,

The Lake Ventura Association Board of Directors