

**TANGLEY OAKS HOMEOWNERS ASSOCIATION**

**RULES AND REGULATIONS OF  
TANGLEY OAKS HOMEOWNERS ASSOCIATION**

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## **PREFACE**

The Tangley Oaks Homeowners Association (“TOHA”) is responsible for and has worked diligently to maintain our common areas, protect our conservancy areas, while providing for financial stability and contributing to the overall enhancement of our community. The natural physical beauty of Tangley Oaks is the cornerstone of our neighborhood.

The Rules and Regulations established by the TOHA are not designed to unduly restrict or infringe on the rights of its residents, but are set forth to ensure the full enjoyment of Tangley Oaks’ unique environment by all our homeowners. The cooperation of everyone is respectfully requested. Guests are subject to the same Rules and Regulations as homeowners. These rules supplement the Tangley Oaks Declaration of Covenants, Conditions, and Restrictions, in which the requirements of the original developer are fully documented.

Our environment is a living, and therefore, a changing one. The Board is responsible for insuring that our community develops in a manner consistent with the documents under which it was established and operates, taking into account changes which occur over time. By way of example, in managing our forest, the Board has had to address the unexpected emerald ash borer infestation which has damaged so many of our trees. Thus, Board interpretations of the governing documents may change over time when appropriate.

## **TANGLEY OAKS LANDSCAPE HISTORY**

Before being subdivided, Tangley Oaks was one of the last large, heavily wooded parcels along the North Shore. One can find several different species of hardwood trees, including oak, maple, hickory and walnut, along with aspen, soft maple and cottonwood.

Once, open oak forests covered the area bordering the shores of Lake Michigan. But by the middle of the twentieth century, most of this precious wooded land had disappeared. The oak/maple forests had existed for centuries and played a part in producing the soils on which they are found. The relationship between forest trees and soils is important in determining the growth potential for our habitat understory. While the oak trees contribute to acidification of surface soil with their fallen leaves, the underlying limestone stratum tends to be slightly alkaline, although topsoil imported by developers/landscapers may tend to be slightly acidic. For horticultural purposes, testing of the soil pH on your property is recommended to maximize the growth potential of both annuals and perennials.

The Tangley Oaks forest is still thick with oaks. Forest management practices, such as supervised clearing and planting, are designed to enhance the hardwood habitat while maintaining a privacy-preserving understory of woody shrubs. The Landscape Committee is committed to maintaining the elegance and beauty that the Tangley Oaks name represents.

The process of forest management involves identification of existing trees and vegetation, analysis of various forest and plant management options, and development of specific steps necessary for the preservation, restoration, and continued enhancement of the Common Property. Replacement planting of new, small trees and shrubs, for the old, large trees that eventually die due to age, disease, construction and/or changes in drainage will continue to be a

part of the overall preservation plan.

## **CONSERVANCY AREAS**

The Declaration of Covenants and Restrictions states that the conservancy areas are to remain natural. Conservancy areas, which are usually the last 30 feet of each homeowner's property, are designed to provide about 60 feet of natural forest between properties. Owners may not alter this natural state by removal or planting of any vegetation, including buckthorn, without prior approval by the Tangley Oaks Landscape Committee.

The Architectural Review and Landscape Committees, and the Tangley Oaks Board, recognize that on some properties, this area was originally cleared by a prior owner and may contain undesirable plants. In some cases, planting may be necessary to achieve the desired habitat constitution. The Landscape Committee has prepared a recommended list of trees and shrubs consistent with the Tangley Oaks Homeowners Association's goals for the conservancies. Homeowners who feel that their conservancy area needs attention may obtain this list and must discuss any plans for rehabilitation with the Landscape Committee. *The final rehabilitation plan must be approved by the Landscape Committee before any work begins.*

**ENCROACHMENTS INTO THE CONSERVANCY AREA ARE NOT PERMITTED AND CANNOT BE APPROVED BY THE LANDSCAPE COMMITTEE OR THE BOARD OF DIRECTORS. IT IS THE BOARD'S POLICY TO REQUIRE CONSERVANCY REMEDIATION AT THE EXPENSE OF THE PARTY RESPONSIBLE FOR ANY ENCROACHMENT OR ALTERATION OF THE NATURAL STATE OF THE CONSERVANCY.**

Significant changes to the landscaping of any home, including grading changes, should be submitted to the Landscape Committee before work begins. Applications may be obtained from Landscape Committee members or from the Tangley Oaks website at <https://mperial.cincwebaxis.com>.

## **ARCHITECTURAL REVIEW COMMITTEE**

**The Architectural Review Committee ("ARC") is responsible for the approval of exterior changes to any home.** The ARC must be notified of any anticipated changes to the exterior of a home before work has begun. Since ARC review may result in changes to a proposed project, homeowners are advised not to accept bids or sign contracts prior to receipt of ARC approval. *The Village of Lake Bluff will not issue a building permit, which is required for any construction, without ARC approval.*

Any request that is in violation of the Covenants, Conditions, and Restrictions or Fence Guidelines will be denied.

Applications may be obtained from ARC members or from the Tangley Oaks website at <https://mperial.cincwebaxis.com>.

In particular, any plans to change the exterior color of a home or its trim must be reviewed by the ARC and approved prior to work beginning.

Homeowners are asked to recognize that the appearance of paint can be affected by age and weather. In some cases, the paint may have been freshly applied years before any current residents came to Tangley Oaks and others may not recognize a return to a previously applied color. In other cases, a paint formula may have been changed by the manufacturer. For these reasons, homeowners should notify the ARC of any significant painting of their homes, even if the colors have previously been approved. Such cooperation will avoid misunderstandings and unnecessary delays. ARC forms are available from a member of the ARC or on the Tangley Oaks website. It is not the intent of the ARC to restrict the enhancement of any home, but merely to preserve a building environment that is compatible with the overall natural environment of Tangley Oaks.

Please note that in some cases, a project may involve changes to a home's exterior as well as a significant change in landscaping. For example, a replacement of plantings in front of a home might involve the relocation of all or some portion of the pathway to the front door. In such cases, homeowners are asked to provide information to both the ARC and the Landscape Committee, and to advise each Committee that the other has received the same information. This will facilitate coordinated responses from both committees.

ARC forms are available from any member of the ARC or on the Tangley Oaks website: <https://mperial.cincwebaxis.com>.

## **LANDSCAPE/ARCHITECTURAL RULE VIOLATIONS**

It is the intention of the Landscape and Architectural Review Committees to work with homeowners to address the concerns of both the homeowner and the Tangley Oaks Homeowners Association in a manner which is consistent with the Tangley Oaks governing documents. Upon confirmation that there have been unauthorized architectural changes or the clearing of any trees and/or shrubs in the common areas and/or conservancy areas, the following process will be implemented:

- The minimum fine will be \$250.
- The Tangley Oaks property manager will issue a letter advising the homeowner of the infraction(s) and fines(s).
- The letter will also advise the homeowner that they have a specific amount of time to correct the violation(s) based upon the current weather and planting conditions. A \$25 per day fine may be imposed if the restoration plan is not satisfactorily completed by the end of the specified time period.

## **DECKS AND OTHER ADDITIONS TO HOMES**

Decks are considered structures. New and replacement decks require approval of the ARC and a building permit from the Village of Lake Bluff. The Village will not issue a building permit until plans are submitted with ARC approval. All additions, including decks, must conform to guidelines established for Tangley Oaks by the Village.

**ENCROACHMENTS INTO THE CONSERVANCY AREA ARE NOT PERMITTED AND CANNOT BE APPROVED BY THE BOARD OF DIRECTORS.**

## **FENCES**

- No fences shall be constructed by a homeowner without prior approval of the ARC.
- Fences built pursuant to these guidelines still require ARC approval, which will not be unreasonably withheld.
- Small dog-run enclosures are permitted, provided that they are kept from public view and surrounded by appropriate landscaping. All plans for such enclosures and related landscaping must be approved by the ARC prior to construction.
- Solid picket fences, stockade fences, chain link fences and stone or brick walls of any height are considered contrary to the environment of Tangley Oaks and will not be approved.
- No fence paralleling Armour Drive will be approved.
- Fences for lots bordering on Green Bay Road or Kohl Drive will be approved, subject to uniform design considerations.

## **FREE STANDING TV, RADIO ANTENNAS, ETC.**

No structure, tower, dish, antenna, or other apparatus or device shall be constructed, installed, or located within the boundaries of Tangley Oaks for the purpose of receiving or transmitting radio or television signals, except as set forth in Article VII, Section 7 of the Declaration of Covenants, Conditions, and Restrictions for Tangley Oaks without prior written approval of the Board of Directors.

## **LIGHT POSTS**

Light posts or other similar structures require approval by the ARC and a building permit from the Village of Lake Bluff. They cannot be located in the parkway, which is dedicated to the Village of Lake Bluff for utilities and other purposes.

## **SIGNS**

The Covenants and Restrictions prohibit contractors from placing signs on Tangley Oaks property. Contractors are not permitted to display their signs on any homeowner's property or common property unless approved by the Board.

Political signs may be displayed only on the homeowner's property, never on common property, and only when they relate to an imminent election. Such signs must be removed promptly after the election.

## **FOR SALE SIGNS**

Only one "For Sale" sign which complies with Village ordinances may be displayed at a home, and it must be located on the homeowner's property. "For Sale" signs may not be placed in the parkway along Armour Drive or on Green Bay Road. In addition, "Open House" or "Garage Sale" signs may be displayed during the hours of the event only, and they may **NOT** be placed in the triangular island at the entrance to Tangley Oaks.

## **Additional Information Regarding Home Sales:**

When selling a home, please call Mperial Asset Management at 847-757-7171 to request a Paid Assessment Letter (PAL"). Homeowners are asked to notify Mperial Asset Management when listing a home for sale to facilitate timely completion of all necessary paperwork.

Sellers will need to provide the buyers with a survey which shows their lot conservancy, and must provide the same document to the management company at least three weeks prior to closing. An inspection of the property's conservancy area is necessary before a PAL will be issued. If Mperial does not receive at least four weeks notice of an impending sale, it may not be possible to complete all the required steps before the planned closing date. *Some of these steps can be completed even before a sale contract is signed and owners are encouraged to be proactive in completing the process.*

Upon receipt of notice of intended sale, Mperial will review the homeowner's account and advise of the balance. If assessments have been pre-paid, a credit can be applied at closing, and any amount not so claimed and applied will be credited to the new owner of the home.

At closing, buyers will be required to sign a form which contains an explanation of the conservancy and their agreement to follow the governing documents regarding conservancy areas.

## **COMMON AREAS**

1. Barbeques and campfires are not permitted.
2. Camping is not permitted.
3. Activity which is, in the opinion of the Board of Directors, considered a nuisance to the neighbors or dangerous or damaging to the grounds is not permitted.
4. Picking or transplanting of flowers, trees, or any other vegetation is not permitted.
5. Tree houses, sheds, or any other construction is not permitted in the common (or conservancy) areas.
6. Motorized vehicles of all types are prohibited on the paths, berms and lawns.

## **PONDS**

The ponds are **not designed for recreational** use, such as swimming or ice skating, but in fact are for storm retention and water runoff. They are approximately 10 feet deep. Residents and their guests may fish on a "catch and release" basis only. Homeowners using the ponds do so at their own risk and shall be solely responsible for their own, their children's and their guests' activities.

## **TENNIS COURTS**

Tennis courts are for the sole use of Tanglely Oaks homeowners and their guests. Guests must be accompanied by a homeowner when on the courts.

The following rules apply to use of the Tanglely Oaks tennis courts:

- The tennis courts may only be used for tennis; no other activity is permitted.
- All players must wear tennis shoes on the courts.
- Proper tennis attire must be worn; men must wear shirts.
- No food or beverages [except water] are permitted on the courts.
- Loud music, loud voices and foul language are not permitted at any time.
- When other homeowners are waiting for a court, playing time is limited to 1 hour for singles, and 1-1/2 hours for doubles. Please surrender the court promptly and graciously.
- Adults have priority over children under the age of 16 for evening and weekend use of the courts. Young people should finish the game in progress, and give the court to the waiting adults.
- Professional lessons are strictly forbidden on the courts, unless a homeowner is the tennis student.
- Grassy areas around the court should be kept clear and clean.
- Dogs are not permitted on the courts at any time. Dogs must be on a leash when in the tennis court area, and dog owners must clean up after their pets in the area surrounding the courts.
- When you finish playing, pick up all equipment and put all trash in the trash bins.

Please be considerate of your neighbors and the common property: leave the court area in good order, and close the gate to the courts when you finish playing.

If you see any violation of these rules, please contact the Tanglely Oaks property management company or a board member.

## **TOYS AND OTHER PERSONAL ITEMS**

Out of respect for your neighbors, the beauty of Tanglely Oaks and security concerns, please remove all toys, trash cans, bikes, sports equipment and personal items from the front of your yard when not in use. Please do not store items on the exterior of your home.

## **RECREATIONAL VEHICLES, BOATS, AND TRAILERS**

Homeowners with recreational vehicles, boats, and trailers too large for storage in a garage should arrange for storage off the property if they are to be kept at the house for more than a few days.

## **NUISANCES**

Residents shall refrain from any activity that, in the opinion of the Board of Directors, creates a nuisance to neighboring residents.

1. Dogs shall not be allowed to run loose; they must be leashed at all times, other than on homeowner's property. (A Village Ordinance also requires dogs to be leashed at all times when off the owner's property).

2. Homeowners will be responsible for picking up after their animals in all areas of Tangley Oaks, including on any paths or in common areas.
3. Village Ordinance limits the use of motorized lawn care equipment such as mowers, blowers, trimmers, etc. Permitted hours of operation are between 8am and 6pm from Monday through Friday and between 9am and 6pm Saturday, Sunday and Holidays. The use of gas-powered leaf blowers is banned from May 15 through September 30.
4. Village Ordinance limits exterior construction hours to 7am to 7pm from Monday through Friday, 8am to 6pm on Saturday and 9am to 5pm on Sundays and holidays. Interior construction which produces noise which can be heard beyond the property under construction is limited to the same hours as exterior construction. Homeowners are asked to be as considerate as possible of their neighbors when construction or another project takes place on their property.

## **LEASING**

- No Lot/Residence shall be leased or rented for hotel and/or transient purposes, or subleased for such purposes.
- All leases of a Lot/Residence must be in writing, and for a term of at least twelve (12) consecutive months.
- The provisions of the Declaration, By-Laws and Rules and Regulations which apply to the use of an individual Lot/Residence and the Common Property shall be applicable to any person leasing a Lot/Residence and shall be deemed to be incorporated in any lease pertaining to a Lot/Residence. The ordinances and codes of the Village of Lake Bluff, and any rules established by the Board, shall also be applicable to any Owner or tenant leasing a Lot/Residence.
- The Owner leasing the Lot/Residence shall deliver a copy of the signed lease to the Board of Directors of the Association or its designated managing agent not later than the date of occupancy or ten (10) days after the lease is signed, whichever occurs first.
- The Board, in its discretion, may approve a non-conforming lease in appropriate circumstances, upon application of the leasing Owner prior to entering into any non-conforming agreement to lease the subject Lot/Residence.

## **COORDINATION WITH VILLAGE ORDINANCES**

In the case of any difference between village ordinances and Tangley Oaks rules and regulations, a village ordinance will control to the extent it is more restrictive than the Tangley Oaks rule.

## **CHANGING OR ADDING RULES AND REGULATIONS**

Owners wishing to change or add a specific rule or regulation should make their request in writing to a member of the Board of Directors for consideration.



## **ASSESSMENTS**

The assessment fee for the Tangley Oaks Homeowners Association is set annually by the Board of Directors. Owners may sign up for direct debit or they may schedule payment online via [https:// mperial.cincwebaxis.com](https://mperial.cincwebaxis.com).

## **Enforcement, Fines and Fees**

### **METHOD FOR ENFORCING RULES AND REGULATIONS**

1. Owners may report repeated infractions of rules and regulations to the Board of Directors in writing, signed by the reporting homeowners.
2. After confirming there is a problem, in the first infraction of a rule, the offending resident will receive a letter from management or the Board of Directors. After a second infraction of the rule, the resident will be asked to appear before the Board of Directors. If a satisfactory settlement is not reached at this meeting, legal proceedings or other action approved by the Board may begin.

### **LATE FEE POLICY**

Assessment fee payments are due the first day of each month. Any member of the Tangley Oaks Homeowners Association whose assessment for a given month is not received by the Management Company within 45 days of the due date (i.e., by the 15<sup>th</sup> day of the following month) will be assessed a penalty of \$25.00. When making your payment, please allow for business holidays, banking hours, processing and notification time from the bank to the Management Company.

### **WEBSITE**

TOHA has a new website which provides current information on the Association. The website may be found at: [https:// mperial.cincwebaxis.com](https://mperial.cincwebaxis.com).

On the website, you can log in and get access to directory information, meeting minutes, budgets, financial reports, the Tangley Oaks governing documents, and other information. You can also enter a work order request and view your account.

You may also use the website to set up free recurring payments of your assessment with direct debit (which deducts the monthly assessment from your checking account on the 5<sup>th</sup> of each month) or you can arrange to pay with your credit card. *Note: a processing fee will be applied with credit card payments.*