

2023 Oak Land Hills Declaration of Covenants Modifications

ARTICLE V. ARCHITECTURAL CONTROL AND BUILDING RESTRICTIONS

Section A., Section 1. Architectural Committee

Existing Covenant Language:

Section 1. Creation of Architectural Committee. The Association shall appoint a committee to be known as the Architectural Committee. Such committee shall consist of three persons who shall serve at the pleasure of the Association. However, so long as there are Class B memberships, declarant shall have the sole right to appoint members of the Architectural Committee. The initial committee shall be made up of Al Hemann, Linda Hemann and Frederick M. Steiger.

New Covenant Language:

Section 1. Architectural Committee. The Association shall appoint a committee to be known as the Architectural Committee. Such committee shall consist of three persons who shall serve at the pleasure of the Association. Committee members may continue to serve on the Architectural Committee until such time they are no longer appointed or resign their duties. A chairperson shall be nominated by the committee to serve a maximum term of three consecutive years.

67 ballots received - 66 approve votes, 0 do not approve votes, 1 did not vote

ARTICLE V. ARCHITECTURAL CONTROL AND BUILDING RESTRICTIONS,

Section A., Section 5. Approval of committee; how evidence

Existing Covenant Language:

Section 5. Approval of committee; how evidence. Whenever, in this article approval of the Architectural Committee is required, such approval shall be in writing. In the event the Architectural Committee fails to approval or disapproval within thirty (30) days after receipt of the written request to do so and all materials required to be provided to it, approval will be deemed to have given, and compliance with the terms of this article conclusively presumed. Such period shall be tolled during any period during which the Architectural Committee is awaiting further information.

New Covenant Language:

Section 5. Approval of committee; how evidence. Whenever, in this article approval of the Architectural Committee is required, such approval shall be in writing. The Architectural Committee shall collect final approval from the HOA Board of Directors before providing written approval to the member that submitted plans for architectural review. Collaboration between the Architectural Committee and the Board of Directors, including the sharing of design plans and layouts, can be managed through email communication, including the shared email account for the Association.

67 ballots received - 56 approve votes, 11 do not approve votes, 0 did not vote

ARTICLE V. ARCHITECTURAL CONTROL AND BUILDING RESTRICTIONS

Section C. Right to refuse

Existing Covenant Language:

The Architectural Control Committee shall have the right to refuse to approve any such plans or specifications or grading plans, which are not suitable or desirable in its opinion, for aesthetic or other reasons; and in so passing upon such plans, specifications and grading suitability of the proposed building or structure and of the materials of which it is to be built, to the site upon which it is propose to erect the same, the harmony thereof with the surroundings, the effect of the building or other structure as planned on the outlook from the adjacent neighboring property.

New Covenant Language:

The Architectural Committee, with final approval of the HOA Board of Directors, shall have the right to refuse to approve any such plans or specifications or grading plans, which are not suitable or desirable in its opinion, for aesthetic or other reasons; and in so passing upon such plans, specifications and grading suitability of the proposed building or structure and of the materials of which it is to be built, to the site upon which it is propose to erect the same, the harmony thereof with the surroundings, the effect of the building or other structure as planned on the outlook from the adjacent neighboring property.

67 ballots received - 60 approve votes, 5 do not approve votes, 2 did not vote

ARTICLE VII. USE RESTRICTIONS

Section 14. Antennas and satellite dishes

Original Covenant Language:

Section 14. No temporary or permanent antennas, satellite dishes or solar panels shall be mounted or installed on any lot or upon any structure, except that an antenna may be mounted within a structure, if out of public view. With the prior written approval of the Architectural Control Committee, which approval shall not be unreasonably withheld, small 18” satellite dishes may be installed on a residence if they are not visible from the street. However, solar panels may be installed as a part of the initial construction of the residence with prior written approval of the Architectural Control Committee.

Existing Covenant Language:

Section 14. No temporary or permanent antennas, satellite dishes or solar panels shall be mounted or installed on any lot or upon any structure, except that an antenna may be mounted within a structure, if out of public view. With the ~~prior~~ written approval of the Architectural Control committee, which approval shall not be unreasonably withheld, small 18” satellite dishes may be installed on a residence **or a lot** if they are not visible from the street **or if it is deemed by the Architectural Control Committee that no other reasonable, non-visible, location on the property exists which would allow for proper function of the satellite equipment.** However, solar panels may be installed as a part of the initial construction of the residence with prior written approval of the Architectural Control Committee.

[original signed document filed for record in the Madison County recorders office on September 22, 2006] Steven C. Kendall, President, Oakland Hills Homeowners Association

New Covenant Language:

Section 14. No temporary or permanent antennas or satellite dishes shall be mounted or installed on any lot or upon any structure. Small 18” satellite dishes may be installed on a residence or a lot if they are not visible from the street unless it is determined that no other reasonable, non-visible, location on the property exists which would allow for proper function of the satellite equipment. Installations that may result in visibility from the street require approval by the Architectural Committee and Board of Directors before installation.

67 ballots received - 61 approve votes, 6 do not approve votes, 0 did not vote

ARTICLE VII. USE RESTRICTIONS

Section 27. Oak Land Hills Illinois Energy Policy Statement

New IL Energy Policy Statement

Section 27. Oak Land Hills Illinois Energy Policy Statement in compliance with [765 ILCS 165/20](#). Any system managed by a community member must comply with applicable federal, state and local building codes. Any installed system is solely for the personal use and benefit of the homeowner. No system shall be constructed or maintained on any common area of the Oak Land Hills community.

Section 27 a. Wind energy collection is not allowed within the Oak Land Hills community.

Section 27 b. Rain water collection is allowed.

Architectural requirements: Member must submit a proposal to the Architectural Committee before beginning any rain water collection system installation. Approval is required from both the Architectural Committee and the Board of Directors

Location: Collection areas must be positioned behind the rear elevation of the home structure.

Design: The reservoir material shall aesthetically align to the design of the residence to which the system serves.

Section 27 c. Composting systems are allowed.

Architectural requirements: Member must submit a proposal to the Architectural Committee before beginning any composting system installation. Approval is required from both the Architectural Committee and the Board of Directors

Location: Decomposing systems must be positioned behind the rear elevation of the home structure and maintained so that decomposing matter does not extend unpleasant airborne odors beyond the property boundaries of the system owner.

Design: The reservoir material shall aesthetically align to the design of the residence to which the system serves.

Section 27 d. Solar panels are allowed.

Architectural requirements: Member must submit a proposal to the Architectural Committee before beginning any solar energy system installation. Approval is required from both the Architectural Committee and the Board of Directors

Location: Solar panels may only be installed on the rooftop of a residence and are expressly restricted from placement at ground level of any property. Primary placement shall be the rear side of the residence but installations may extend to the front of the residence when South-facing rooftop sun exposure is limited.

Design: Homeowners pursuing solar energy solutions shall make a good faith effort to source materials that blend with the color scheme of the existing roof material. A low profile system, or in-roof mounting, is required to reduce system visibility from the street level. Solar tiles are also allowed as an energy source when the tiles replace an existing roof structure.

67 ballots received - 57 approve votes, 9 do not approve votes, 1 did not vote

ARTICLE VII. USE RESTRICTIONS

Section 8. Fence / dividing instrumentality language

Existing Covenant Language:

Section 8. No fence, hedge, wall, or other dividing instrumentality shall be constructed or maintained on any lot unless approved by the Architectural Committee.

New Covenant Language:

Section 8. No fence, hedge, wall, or other dividing instrumentality shall be constructed or maintained on any lot. Invisible underground pet containment systems are allowed. Fences around swimming pools as required by Madison County ordinance are exempt, but limited to the immediate area around the pool and must be at least 10 feet from all property lines.

67 ballots received - 56 approve votes, 11 do not approve votes, 0 did not vote

ARTICLE VII. USE RESTRICTIONS

Section 15. Recreational apparatus

Original Covenant Language:

Section 15. No recreational apparatus shall be installed, placed or permitted in any front or side yard. Recreational apparatus, including without limitation, swing sets, swimming pools, basketball goals and courts, playground equipment, trampolines, and game playing courts or fields may be maintained in rear yards.

Existing Covenant Language:

Section 15. No recreational apparatus shall be installed, placed or permitted in any front or side yard. Recreational equipment, including without limitation, swing sets, swimming pools, basketball goals* and courts, playground equipment, trampolines, and game playing courts or fields may be maintained in rear yards.

* Installation of **In-ground Basketball Systems** will be allowed in the side yards of residences if they meet the following description:

Basketball system to include single pole square channel post that is moored to the ground and is detachable. Backboards must be integral to the design of the system, variable height and rigid systems are acceptable. Basketball systems are to be placed on the driveway side of the residence only. Basketball systems are to conform to the intended aesthetic of the neighborhood and will be harmonious with other residences.

We are specifically excluding the following types of situations for acceptance of side yard systems. Basketball backboards attached to garage or residence, embedded wood poles with backboard, embedded metal pole without footing, hanging backboards from trees.

In-ground basketball systems will still require submission and acceptance by the Architectural Review Board to assure compliance and to maintain the proper aesthetic.

[Amendment filed for record in the Madison County recorders office on January 5, 2005]

New Covenant Language:

Section 15. No recreational apparatus shall be installed, placed or permitted in any front or side yard. Recreational apparatus, including without limitation, swing sets, swimming pools, basketball courts, playground equipment, trampolines, and game playing courts or fields may be maintained in rear yards. Basketball goals mounted on poles, permanent or portable, may be located along driveway structures. Basketball goals may not be mounted to any structure

on the lot, including garage or residence; additionally, embedded wood poles with backboard, embedded metal pole without footing or hanging backboards from trees are not acceptable.

Basketball systems require submission and acceptance by the Architectural Committee with final approval of the HOA Board of Directors to assure compliance and to maintain the proper aesthetic. Temporary systems must be stored in the rear yard or garage when not in use.

67 ballots received - 55 approve votes, 12 do not approve votes, 0 did not vote

Amendments passed through majority vote of quorum ballots returned by February 28, 2023

85 potential ballots, 43 is quorum

Douglas J Rodden, President
Oak Land Hills Homeowners Association

Filed for record in the Madison County recorders office on September 20, 2023