



Kirklands Property Homeowners' Guide

Homeowners automatically become members of the Kirklands Homeowners Association when a title to a residence is acquired. The complete responsibilities of the Association and of each homeowner are contained in the ***Kirklands at Oaklands, Declaration of Covenants, Conditions and Restrictions***. A copy of these by-laws were provided at the time of each final home closing by the Title Company. These documents may also be found on the Kirkland community website at www.kirklandshoa.com.

All homeowners should read these documents carefully to become familiar with all of the rights and responsibilities of homeowners and the Association. Homeowners accept the terms of the Association documents when they acquire a title/deed to their home. Failure to comply with the documents may lead to legal proceedings against any owner who violates these documents. **The Board of the Kirklands Homeowners Association is legally bound to enforce the documents against all violators.**

The purpose of this Kirklands Property Homeowners' Guide is to give a brief overview of the governing responsibilities of our association.

DEFINITIONS

- a. "Association" shall mean the Kirklands Homeowners Association
- b. "Common Areas" shall refer to common landscaped areas, bicycle and safety paths, boulevard medians, green belts along roads, walkway easements, cul-de-sac islands, storm drainage facilities, and surface and retention areas
- c. "Lot" shall mean any lot within the subdivision as set forth in the Plat.
- d. "Dwelling" shall mean a single family residential home.
- e. "Township" shall refer to the Township of Oakland, Oakland County, Michigan

ASSOCIATION MEMBERSHIP AND VOTING RIGHTS

Every lot owner shall be a member of the Kirklands Association. Each member shall be entitled to one (1) vote for each lot owned.

GOVERNANCE

The Board of Directors of the Association shall consist of no less than three members. This is a volunteer position that must be approved by vote of the homeowners. The term of each office shall be for one year. The purpose of the Board of Directors is oversee the fiscal obligations in the maintenance of all common areas within the subdivision as well as the **enforcement of the Declaration of Covenants, Conditions and Restrictions as a legal binding document.**

At such time, an Architectural Control Committee will oversee various responsibilities within the subdivision. A Social Committee will soon be initiated to plan neighborhood gatherings and events.

The Kirklands Homeowners Association will hold an Annual Meeting (October) and all homeowners are encouraged to attend.

ASSOCIATION RESPONSIBILITIES

The Association shall have the duty and responsibility to maintain the Common Areas for the benefit of the subdivision. The Association is responsible for the wetlands preservation in the subdivision, the scenic easement and shall employ best management practices to the storm water drainage system located in the subdivision in connection with the natural resource of Gallagher Creek.

ANNUAL ASSESSMENTS

By the acceptance of the deed to the property, each lot owner agrees to pay the yearly association assessment. Statements will be sent out in December and fees are due in January of each calendar year.

Failure to pay the assessment may incur accrued interest penalty, legal action and a subsequent lien on the property. In fairness to all Kirklands homeowners and in accordance to our binding legal covenant, every effort will be initiated by the Board to collect all monies owed the association.

ARCHITECTURAL CONTROL COMMITTEE

ARCHITECTURAL CONTROL RESPONSIBILITIES SHALL INCLUDE BUT NOT LIMITED TO THE FOLLOWING GENERAL CONDITIONS:

- **Landscape: See Exhibit C in Kirklands Declaration of Covenants for detailed information regarding landscape requirements.**
- **Unsightly Conditions of Lots / Maintenance of Property
Please note “Reservation of Rights” by the association on page 17 of Kirklands Covenants to enter upon any lot to correct any such conditions.**

- Street Cleaning
- **Approval of any changes to the color of stain/paint for exterior of home.**
- Mailbox maintenance
- Basketball hoop placements
- Swimming pool requirements
- Play structure approval
- Limitations of any satellite dish installment
- Enforcement of:
 - No fences
 - No temporary structures
 - No dog runs
 - No clothes lines
 - No recreational vehicles in driveways
 - No solar panels

The Architectural Control Committee shall report to the Kirklands Homeowners Board of Directors and subsequently legal property management counsel if any such situation or condition shall arise.

PARKING

There is no overnight parking allowed on Kirklands streets. This includes guests and renters. Also, during winter months, there is no parking allowed on Kirklands streets on those days that the streets are getting plowed.

INVISIBLE FENCE

First of all, we ask all members with canine pets to socialize their dogs as much as possible (i.e., taking them for walks so that they can become accustomed to other

pets and members in the neighborhood). For those members installing the Invisible Fence product, we urge you to make sure the fence is 6 to 8 feet from the sidewalk (or curb if you live on a cul-de-sac).

WASTE/RECYCLE SERVICES

In January 2013 the Kirklands HOA contracted with Republic Services for waste/recycle services for the entire subdivision. By contracting with a company as an entire subdivision, we were able to procure much better rates than individual homeowners. Each homeowner does not need to contract individually for their waste hauling, thus eliminating one of your bills and saving us all some money. It also helps to set up a uniform pick up date so that we can help to cut down on the wear and tear on our roads by the heavy trucks picking up multiple times during the week. The cost of waste hauling is covered by the association using a portion of the dues that we already pay. **Please be advised that this service is mandatory for all Kirklands HOA members.**

If you have any questions/comments/complaints about this service or you want to start service (new Kirklands resident), please visit our website and fill out the [Waste Hauling Form](#). If it is an immediate concern, you may contact Trish Campbell (Kirklands HOA Board) at 586-703-6256.

If you want to purchase extra containers or you want to schedule an extra pickup, the Republic customer service number is 800-858-0089.

Allied Waste Weekly Services

95 Gallon Toter

Recycling Tub

Yard Waste (April-Nov in brown yard bags)

Extra Containers (Purchase Only - No Rental)

Large Toter - \$75

Recycling Tub = \$20

Special Pickups - Billed Directly to Customer

If you have any special pickups (discarded household items, etc) that you need picked up, please call Republic customer service at 800-858-0089. These items are usually picked up on Mondays, our regular service day.

WEBSITE

The Kirklands Website is www.kirklandshoa.com. **All new HOA members are strongly urged to request a login at this site.** This website contains all pertinent information relative to our Association including Covenants, Homeowners Guide, HOA Financials, Board Minutes, Newsletters, HOA Address List, etc. A Kirklands HOA member manages this site and all homeowners have access to this information. The home page has general public access but information pertinent to homeowners is password protected. Almost all of the HOA Newsletters are distributed through this site. We encourage all homeowners to regularly access the website for important information and announcements.

IMPROVEMENTS

It is the responsibility of the Kirklands Homeowners Association to deem necessary and provide funding for any area that is in need of upgrade, change or improvements. This shall include but not be limited to the landscape at the entrance, the islands of the cul de sacs (4), the lighting (lamp posts) and the street signage. The goal of the Kirklands Homeowners Association is to continue to maintain the harmony, attractiveness, quality and property value for all of the homeowners residing in the Kirklands of Oaklands. Suggestions are always welcome and encouraged. They should be directed to the Board of the Kirklands Homeowners Association by email, letter format or through the access provided on our website.