

# TALLAVANA HOMEOWNERS' ASSOCIATION

## POLICIES, RULES & REGULATIONS

The following are policies, rules and regulations enacted over the years by the Tallavana Homeowners' Association Board of Directors, Lake Tallavana property owners and/or the Architectural Control Committee.

### SECTION 100

#### **110. General and Miscellaneous**

1. Homeowner assessments for the previous calendar year not paid prior to January 1 of any given year will bear interest per annum at a Board approved rate. When necessary to retain counsel to collect past due assessments, the Association shall be entitled to recover reasonable attorney's fees for trial and appeal plus all court costs.
2. Those owning more than one lot will have only one membership vote and will pay only one Lake Tallavana assessment.
3. A minimum of 18-inch concrete or corrugated pipe must be placed under driveways constructed over roadside ditches. (*See ACC Policy #220.B.12.a*)
4. Property owners shall be held responsible for correction of problems created by drainage damage emanating from their personal property.
5. Parking on the right-of-way of Tallavana roads may create a safety hazard and may create erosion. The Board reserves the right to require homeowners to remove vehicles from the right-of-way.

#### **115. Liens, Penalties, Restrictions, Suspensions and Fines.**

Rules adopted April 12, 2005 concerning provisions of the Articles of Incorporation regarding unpaid dues or assessments. (*Article II.3.d & II.3.f*)

1. Unpaid dues or assessments; Liens; Penalties: Association dues, or assessments, which are billed and mailed quarterly, shall become delinquent if unpaid, 10 days after quarterly due date. The Association will charge a late fee of \$15.00 per quarter on unpaid dues or assessments. The Association will also levy interest in the amount according to current state allowance on balances prior to the current calendar year. Liens against the property of delinquent members will be filed, automatically, if dues or assessments, late fees and interest are unpaid for a period of twelve (12) months.
2. Unpaid Dues or assessments; Restrictions: Tallavana Homeowners' Association members with dues or assessments more than twelve months in arrears shall not be permitted to vote at annual or special meetings of the Association; nor shall such members be permitted to hold an elective office in the Association; may not serve on Association committees, and, except for use of roads, may not use the common or recreational facilities owned by the Association.
3. Suspensions and Fines: The Tallavana Homeowners' Association Board of Directors may suspend the rights of any member, lessee or guest from the use of common and recreational facilities for a reasonable period of time for violations of rules and regulations regarding the use thereof, and/or may levy fines for violations of rules and regulations regarding the use thereof in accordance with procedures established by the Laws of the State of Florida.

## **120. Lake and Boat Rules**

1. Only electric motors may be used on the lake. Gasoline motors, even though they may not be in operation, are not allowed on the lake.
2. Guests, with the exception of relatives, must be accompanied by their host when fishing on the lake – even though they may be in a boat with decals.
3. All boats using Lake Tallavana must have valid Lake Tallavana decals.
4. Decals will be issued free of charge to property owners. Decals are available from the Corporate Secretary.
5. The boat for which each decal is issued must belong to or be registered to the property owner.
6. Decals shall be placed on both sides near front of boat.
7. If property owner should sell boat, decal must be removed and either destroyed or placed on property owner's new boat.
8. All boats must carry life preservers on board for all occupants and comply with all other state safety requirements.
9. All fishing boats using Lake Tallavana must not exceed 18 feet in length. All pontoon boats must not exceed 24 feet in length and 10 feet wide.
10. Property owners may not have more than four registered boats that use Lake Tallavana unless approved by the Board of Directors.
11. No houseboats or live-on-boards allowed on Lake Tallavana.

*(See Appendix #1 for Fishing Regulations)*

## **125. Use of the Sheffield Nature Preserve and Oswald Point**

Adopted March 9, 2004

The Sheffield Nature Preserve is a 30-acre tract of land located east of the end of Hickory Lane. The 30 acres was obtained for the purpose of providing a natural game and wildlife preserve to enhance the philosophy of the Lake Tallavana community, and, also, to serve as a buffer zone between the Tallavana community and privately owned neighboring parcels. Oswald Point is a parcel of land east of Hickory Lane and is adjacent to the Preserve. Following guidelines are for the enjoyment and use of these parcels by our members and their invited guests.

1. The Board of Directors of the Tallavana Homeowners' Association desires to provide an opportunity for its members and their invited guests to quietly observe birds and wildlife, enjoy recreation and/or physical exercise through walking or jogging. As soon as these areas are secured, walking trails shall be established to be used with the caveat to all members that these areas will not be policed for the guarantee of safety. Members using the Preserve are required to remain on the designated walking paths. The following Rules and Regulations govern the use of the Sheffield Nature Preserve and Oswald Point.

a. The Sheffield Nature Preserve and Oswald Point are for the use of the members of the Tallavana Homeowners' Association and their invited guests. Invited guests shall be accompanied by their member hosts while using these areas. Entrance and use of the Preserve for purposes of observation shall not be permitted until paths and observation areas have been constructed. The only entrance to the Preserve shall be through the designated gate. The Preserve is open during daylight hours only.

b. No motor vehicles, except for security and maintenance vehicles are permitted at any time. Walking, jogging, cycling, and bird and wildlife observation are permitted and encouraged. All motor vehicles shall be parked along the roadway easement. The only

vehicles permitted for use other than security and maintenance vehicles as provided by the Association are battery motorized wheelchair-type scooters designated for use by disabled persons holding standard disabled permits.

c. There shall be no hunting, camping, fires, firearms, or other equipment for the taking of game and birds permitted on these parcels. Users of the Preserve are required to clean up and remove all of their trash or debris.

d. No "through traffic" of any kind is permitted to cross these properties. The gate at the east end of the Preserve was constructed to provide access for utility companies only and will be kept locked at all times.

2. Violations of these conditions for use of the Preserve shall result in prohibition of use for 90 days to one year.

### **130. Auto Decal Regulations**

1. Property owners are required to display a current Lake Tallavana decal on the back of the inside rear view mirror of each of their cars or trucks. They are available from the Corporate Secretary.

2. Decals will be issued to property owners for their vehicle(s) free of charge.

3. If property owner should sell the vehicle, the decal must be removed and either destroyed or placed on the property owner's new vehicle. Property owner should notify Corporate Secretary when there is a change of vehicles.

### **140. Gate Card Regulations**

1. All gate card numbers are to be recorded and the name of the person authorized to have that card will be kept on a master list showing card numbers and to whom each card is assigned.

2. Two gate cards will be issued, without charge, to each new property owner (unless cards are obtained from the old property owner). Upon receipt of these cards, the property owner will agree that if they sell their property, the gate cards will be relinquished to the buyer.

3. Additional cards may be issued to property owner at a cost determined by the Board:

- a. Members of household living at Lake Tallavana.
- b. Members of immediate family of homeowner (parent, child, grandchild, grandparent, sibling or spouse of any of these up to a maximum of six (6) cards).
- c. Any other individual approved by Board as having justifiable reason for a gate card.

4. Upon receipt of these additional cards, the property owner will agree that if they sell their property, these cards will be returned to the Homeowners' Association.

5. New cards will be issued to replace lost or stolen cards at any time at a cost determined by the Board. These lost or stolen cards will be so shown on a master list.

6. Broken cards will be replaced free of charge, provided they are turned in for exchange.

7. Property owner will be responsible for securing cards for persons renting homes at Lake Tallavana.

8. Building contractors requesting Lake Tallavana gate cards shall post a deposit for said card at a figure determined by the Board. Deposit shall be refunded when card is returned.

9. The Board will approve a list of courtesy cards (Sheriff, Police, Firemen, mail carrier, commercial delivery personnel, etc.)

10. Refunds shall be issued for purchased cards upon their return.

#### **145. Gate Policy**

Adopted July 12, 2005 to insure that the THA members and others would know policy for opening the security gate located near Highway 12 on Tallavana Trail.

1. Certain THA directors would be assigned the duty of maintenance of the gate plus opening and closing the gate for designated reasons and have keys to the gate. These THA directors will be called the "gate committee."
2. THA members and others are encouraged to use the gate's telephone number to open the gate when they have an event/function within Lake Tallavana. When a guest of a THA member or others arrives at the gate, they should call the person in charge of the event/function, who then can open the gate by calling the gate's telephone number. Another acceptable method would be for the THA member or others to assign a representative to be at the gate during their event/function to open the gate for their guests as they arrive. If these methods of opening the gate will not work for the THA member or others, then they are to contact a member of the gate committee and make a gate opening request in writing and delivered to a gate member no less than 72 hours prior to the requested time for opening the gate. Emergency conditions would be exempt from the 72-hour notice.
3. THA members and others would be limited to submitting only one (1) gate-opening request per month to a gate committee member.
4. The open time for the gate would be limited to 4 hours and the gate must be closed by 9:00 pm if the gate opening request method is used. Multiple requests by several THA members or others where the times requested are "back to back" will not be accepted. During emergency conditions such as a hurricane, the gate committee can extend the hours the gate is left open as necessary to accommodate the circumstances.
5. The gate committee shall use a method to indicate to the other gate members and the THA Board that the gate has been locked open on purpose.

#### **150. Off-highway vehicles prohibited**

1. No off-highway motorized vehicle, except one being used for an association approved maintenance project, shall be operated at anytime within the subdivision known as Lake Tallavana in Gadsden County, Florida.
2. Off-highway motorized vehicle includes dirt bikes, go-carts, all-terrain vehicles, and any other motorized vehicle which is not allowed to be operated on the public streets and highway of the State of Florida.

#### **160. Motorcycles prohibited on Association property**

1. The use and operation of motorcycles is prohibited on all property owned by Tallavana Homeowners' Association including the lands comprising the power-line easement which runs through the subdivision known as Lake Tallavana except that licensed motorcycles with licensed drivers may be used and operated in a reasonable manner on the streets and roads owned and maintained by the Association within the subdivision.

#### **170. Pavilion Reservations**

1. The pavilion is primarily for use by residents for get-togethers with family and friends. This use is free.
2. Use by residents for a work or business related event, church group activity, etc. is also allowed but a fee is charged in addition to the refundable cleaning deposit. (*See below for fee & insurance requirements*)

3. To reserve the pavilion for parties and family gatherings, contact the Corporate Secretary. Reservations will not be final until your refundable cleaning deposit is received.
4. The deposit will be returned provided that the pavilion area and restrooms are left clean, all borrowed equipment is returned in good condition and all trash is removed from the common area.
5. As a courtesy, a volleyball set and horseshoes may be available at no charge for use at your party. They can be picked up upon receipt of your deposit.

The Homeowners' Association does not provide restroom supplies. Members planning an event should make provisions for all necessary restroom supplies. Members are responsible for making sure that the restrooms and pavilion area is clean at the end of your event. Trash must be removed from pavilion area and restroom, as there is not a designated Waste Management pick-up in the common area.

*(Fee of \$150.00 for use of the pavilion by business, church groups, etc. set by Board in August 2005.)*

*(Groups other than homeowners using the pavilion must furnish proof of insurance before the event.)*

### **180. Bulletin Board**

Please observe the following rules when using the bulletin boards at the gate and on Mason Drive:

1. All notices must be dated.
2. Please remove your notice after seven days.
3. No business notices or business cards.
4. Bulletin board is for use and benefit of Tallavana members only.
5. Please do not tape notices to the outside of the glass.

The bulletin board on Mason Drive is an outdoor type that was manufactured with a lock. Contact the Corporate Secretary for notices to be posted on the Mason Drive bulletin board.

### **190. Appointment of Committees, Chairpersons, and Term Limits**

Adopted August 12, 2003

*BYLAWS: The Bylaws of the Tallavana Homeowners Association provides that the President shall be the Chief Executive Officer of the Association. He/she shall have all of the powers and duties which are usually vested in the office of President of an Association or Corporation, including but not limited to the power to appoint committees from among the members from time to time, as he/she in his/her discretion determines appropriate, to assist in the conduct of the affairs of the Association (6. Officers, (b).*

*5. Powers and Duties of the Board of Directors. (b). Architectural Control Committee. The members of the Architectural Control Committee shall be appointed by the Board of Directors of the Association.*

1. The President, as Chief Executive Officer, shall appoint committee members and chairpersons for all standing, temporary or ad hoc committees, except for the Architectural Control Committee. The President shall recommend members of the Architectural Control Committee and the chairperson to the Board of Directors for consideration and approval for each seat one at a time. (Repeal Item 5-B.)

2. Presidential Committee Appointments. The term limits for all committee members, i.e., standing, temporary or ad hoc, except for the Architectural Control Committee (ACC), shall be for a period of one (1) year, which shall extend from January through December. This includes committee members and committee chairpersons. The incoming president shall review

committee membership and chairmanships and appoint or re-appoint members to the committees as soon as possible after assuming office.

**3.** All committee chairmen or members shall remain in office after expiration of their term, unless replaced.

**4.** Architectural Control Committee (ACC). The term of office for the ACC members shall be for three (3) years and hereinafter until his or her successor is duly appointed or until he or she is removed. Members shall serve rotating terms of office. Beginning with the January, 2004 annual meeting, two (2) members shall be appointed for a one (1) year term, two (2) members shall be appointed for a two (2) year term and three (3) shall be appointed for a three (3) year term. At ensuing annual meetings, two members shall be appointed for a three (3) year term, except that every third year there shall be three (3) members appointed.

**5.** Any committee chairman or committee member may be removed from office at any official meeting of the Board by a majority vote of the Board of Directors.