

## **Eagle Lake East Homeowners Association Fence Policy for homes along Pirate Lane**

After careful review and discussion, the Eagle Lakes East Architectural Review Board and with approval of the Association's Board of Directors, it has been decided that the homes on Millicent Circle, adjacent to Pirate Lane, are allowed to erect fences as long as the following conditions are met:

- Fences must be constructed of white colored vinyl material stockade style, and can only be 6 feet in height at the top rail.
- The height of the top rails that will run parallel to Pirate Lane will match with the height of an adjoining 6 foot fence.
- Fences must taper to match with the height of the top rails of the fence that run parallel to Pirate Lane.
- Fences must meet the set-back code of 15ft.
- Fences must abut the vinyl post/rail currently running adjacent with Pirate Lane

In addition, the homeowners must be cognizant of the following:

- An ARC application, including plans and specifications must be submitted to the Architectural Committee and processed as set forth in Article II of the Covenants, Conditions and Restrictions, and any references to said article and Covenants, before the commencement of any work to erect the requested fence.
- There is an irrigation system that runs parallel to the Association's existing post and rail fence. The costs associated with the repair of the Association's irrigation system damaged as a result of any and all work performed by the property owner, its agent or contractor will be the burden of the offending property owner.
- If there is any damage to the irrigation system during work performed by the property owner, its agent or contractor, the property owner is to immediately notify the Association's property manager of the damage. The property manager will then contact the Association's irrigation maintenance company for repairs. The resulting expense will then be billed to the offending property owner for payment.
- If any damaged is found by the Association's irrigation maintenance contractor during bi-weekly contractual maintenance, in the area of where any construction or plantings have been conducted within a recent period of time, it will be assumed the property owner or contractor has damaged said irrigation system and will be responsible for resulting expenses to repair the irrigation system.
- The Association has responsibility to the landscaping that runs parallel to the Association's existing post and rail fence and that the property owner will be responsible for any damages to the existing landscaping, resulting from any work conducted by the property owner or contractor.

Homeowner will be responsibility for all repairs to the fences on their property, damaged by such causes, but not limited to natural causes, weather, accident, acts of God and normal wear and tear. The

homeowner is also responsible for keeping their fence clean on all sides, including the side adjacent to Pirate Lane as needed.

This policy does not serve as automatic approval for fences. Homeowners are still required to meet Covenants, Conditions and Restrictions and HOA policy and must submit the appropriate ARC applications, and receive for Architectural Committee approval before any and all work is performed.

Board of Directors

Eagle Lake East Homeowners Association

Adopted November 4, 2013