

February 12, 2003

Dear Arrowhead Point Homeowners,

This letter is directed to the Arrowhead Point homeowners of property which adjoin that of our neighbors to the north and south. Specifically, the subject is the rear fencing of those lots that parallel Meadowridge Lane on the south and the Northview Bible Church property on the north.

Over the past several years, there has been some question regarding the responsibility for the maintenance and repair of those fences; i.e. do they belong to the Arrowhead Point Association (AHP), or are they the responsibility of the individual homeowner. The AHP Board of Directors has received varying inquiries and opinions on this issue. The Board has, undertaken an investigation to determine the position it must take to be in compliance with the direction provided by the AHP By Laws and Codes, Covenants, & Restrictions (CC&R's) of the Association.

The Board has examined this issue with a review of the By Laws and CC&R's, discussed it with the builder, and the legal firm that has represented Arrowhead Point for several years. The Arrowhead Point developer (Landmark Builders) has stated that the fences along the north and south boundaries of AHP were built on homeowner property (not common property). They were built to satisfy agreements with the neighbors on the north and south during the time that Arrowhead Point was being developed. The intent of Landmark Builders was that once constructed, these fences would be the property and responsibility of the homeowner. Examination of the AHP association documentation and consultation with the legal firm of Paine, Hamblen, Coffin, Brooke, and Miller confirms that the limitation on responsibility for maintenance and repair be confined to AHP common property. The only fencing currently covered by this limitation is the fence along Mill Road and any fencing required by the sewage lift station property on Center Street.

The conclusion of the Board is that the fences bordering the north and south property lines of Arrowhead Point do not fall within the currently defined scope of the Association's common property, and as such, are the responsibility of the individual homeowners for repair and maintenance.

This issue was discussed at the January 2003 Homeowners meeting. If you have any questions regarding the issue or the findings, please feel free to contact the board president.

Sincerely,  
Arrowhead Point Board of Directors

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Don Piontek  
Treasurer

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