

**BANBURY HOA**  
**HOMEOWNER AGREEMENT**  
**REQUIREMENTS FOR PLACING A FENCE AND/OR TREES ON PROPERTY**  
**ON THE BERM ALONG CHINDEN BLVD**

**Location:**

- 1) The fence is to be located on the crest of the berm, or north of the crest. Not to be placed closer to the road than the crest of the berm.

**Existing Sprinklers on Bern:**

- 2) If placing the fence interrupts or disrupts the sprinkler coverage on the lawn south of the fence, then the sprinkler heads will need to be moved to the south of the fence at the owner's expense.
- 3) The sprinkler/irrigation lines that are in the area of the easement cannot be altered if they are 1" or larger. The homeowner may adjust or move the sprinkler heads, but cannot add additional heads to the Banbury HOA sprinkler lines.
- 4) The easement of the Banbury HOA for sprinkler access and maintenance is still in effect with the placement of the fence. Therefore, access to the area behind the fence will still be required for irrigation and sprinkler maintenance.

**Existing Trees/Shrubs/Plants on Berm:**

- 5) No removal of trees or shrubs for the placement of the fence without specific approval by the ACC or HOA Board. However, minor pruning of trees and bushes may be performed to allow for the building of the fence.

**Homeowner Responsibilities:**

- 6) Homeowner to contact Digline, Inc 800-342-1585 prior to digging to identify utility lines.
- 7) Once the fence is in place, the homeowner will be responsible for lawn care up to the fence.
- 8) Maintain the backyard lawn and sprinklers up to the fence. ProCare to take care of the lawn and sprinklers on the outside of the berm.
- 9) Neighbors will need to work together to tie into one another's fence.
- 10) If the homeowner's fence does not match the neighbor's fence on either side, we request the homeowner and neighbor/s work together to plant an evergreen, spruce, arborvitae, shrub or similar tree/plant in front of where the two fences meet. We believe this will help with the aesthetic beauty of our neighborhood along Chinden.

**1-2 Weeks Prior to Fence Install:**

- 11) 1-2 weeks prior to fence install, the homeowner is to mark the fence line with stakes or spray paint and notify the ACC/Board who will review/approve the placement. Sprinklers may need to be relocated prior to the fence installation. If so, this will be at the homeowner's expense.

<b>Homeowner Acknowledgement</b>
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By signing this application, I understand that approval from the Banbury HOA Board or Architectural Control Committee is required prior to the start of the project. I also understand that this is an approval to comply with the CC&Rs and the requirements listed above and in no way does this approval have any bearing as to the safety and soundness of the improvement. All local codes and laws are the owner's responsibility. The HOA makes every attempt to provide a fully inclusive review; however, unless a specific variance is granted, it is expected that regardless of plan notations all minimum CC&R, ACC and above requirements will be met by the owner. In addition, I understand the deposited funds, less application fee, will be returned after the final inspection of the project by the Board/ACC.

Homeowner Name (printed): \_\_\_\_\_

Property Address: \_\_\_\_\_ Eagle, ID 83616

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ACC/Board Signature: \_\_\_\_\_ Date: \_\_\_\_\_