

RESOLUTION REGARDING FENCES

Chadwick Estates Homeowners Association, Inc., (the "Association"), by its Board of Directors (the "Board"), at a duly scheduled meeting held on March 14, 2007, with quorum present, resolved as follows, with amendments properly enacted by the Board on May 8, 2007 and October 16, 2007:

RECITALS

Whereas, the Board must approve any proposed fence within Chadwick Estates (the "Subdivision") pursuant to paragraph 16 of the Declaration of Restrictions for Chadwick Estates (the "Restrictions").

Whereas, the Board has decided to adopt guidelines for the approval of fences within the Subdivision in order to maintain the quality and character of the Subdivision.

RESOLUTION

It is resolved as follows:

1. General Guidelines: Each application for approval of a fence shall be reviewed on an individual basis and the guidelines detailed herein are for guidance only. The Board retains the right to approve plans that do not strictly meet the guidelines detailed herein, or disapprove plans that conform to the guidelines detailed herein, based on the unique circumstances of each situation in order to maintain the quality and character of the Subdivision.
2. Fences: Guidelines for approval of any fence within the Subdivision are as follows:

a. Plan Submission: Any homeowner who wishes to construct a fence on a lot in the Subdivision shall first provide proposed plans to the Board for review. Such plans shall include, at a minimum, a diagram showing the location of the proposed fencing on such lot, a detailed description or example of materials for such proposed fencing, a color sample of the fencing materials, and the height of such proposed fencing.

b. Neighbor Approval: Any lot owner proposing a fence must also provide to the Board written consents from the owners of all contiguous lots. "Contiguous Lots" shall, for the purpose of this paragraph, shall be as defined in paragraph 16 of the Restrictions.

c. Fence Material: Only metal fencing shall be allowed. No chain link, vinyl, wood or other materials shall be allowed in any fencing on any lot. The color of any fence shall be black or a dark neutral color.

d. Fence Spacing: No solid fencing shall be allowed. The space between fence rails shall be the maximum permitted by code. No rails or slats wider than one (1) inch shall be allowed in any fencing.

e. Fence Height: No fencing taller than five (5) feet* shall be allowed.

f. Fence Location: No fence shall be closer to the front lot line than a line extended from the rear of a residence to the nearest point on a side lot line, and no fence shall be erected within the set-back area from the street of any lot, provided, however, that if a home on a corner lot primarily faces one street, on the side which is not the side the house faces, fencing may be installed within the 25-foot set-back area provided: (i) such fencing is no closer than 10 feet to the sidewalk, and (ii) any fencing within the 25-foot set-back area is appropriately screened by landscaping on the street side as approved in advance by the Board.●

g. No Living Fence: No dense shrubbery or hedges that may effectively constitute a fence or barrier shall be allowed.

h. Code Compliance: Any fence must comply with all applicable codes. In the event the guidelines detailed herein create a stricter standard than code, these guidelines shall control.

i. Border Fences: Notwithstanding the provisions of Paragraphs 2(c) and (d) above, solid wood fencing (“Wood Fencing”) shall be allowed on the rear lot lines of only Lots 59 - 65 and 68 - 88 (inclusive) along the South and West border lines of the subdivision (the “Approved Wood Fence Boundary Lots”) on the following conditions:

- (i) All such fencing shall be composed entirely of real wood (not composite, vinyl or other non-wood substance), of the style and design designated “Privacy Smooth Top” as shown in Exhibit B attached hereto.
- (ii) All such fencing shall be stained in Sherwin Williams Woodscapes “Spice Chest” - #SW3513 (the “Approved Stain Color”), and after installation may not be painted, re-stained or otherwise modified to a different color, but may be re-stained with the Approved Stain Color.
- (iii) All such fencing shall be limited to six (6) feet in height.
- (iv) Any such fencing may only be erected along the rear property line of an Approved Wood Fence Boundary Lot, and not along any side or front lot lines. Such fencing shall also extend the entire length of the rear lot line of such lot along the exterior borders of the subdivision, and not just a portion of it (unless a variance to this requirement is granted by the Board of Directors to avoid any existing tree or trees on the lot line).

