

# CHULA VISTA HOMEOWNERS ASSOCIATION BOARD POLICY DOCUMENTS

## ARCHITECTURAL REVIEW POLICY DOCUMENT

### PERIMETER AND LIVESTOCK FENCING

In acknowledgment of the fact that many homeowners are in variance with the requirements of the CC&R's, the Board has decided to allow a waiver to all homeowners to allow for them to construct a perimeter and/or livestock fence which allows for property security and the safety of their pets, children and visitors.

Any perimeter and/or livestock fencing constructed of smooth wire, no climb fencing, rail fence either wood, metal or white or brown PVC, wire mesh fencing, electric fencing or pole fencing will be covered under this waiver. If a homeowner wishes to construct a perimeter fence of a material other than so stated above, homeowner will apply to HOA Board for a waiver.

All homeowners are to be notified of the risks to their property if cattle do breach the alternative perimeter fencing. This notice will be placed on the website.

Above decision was made based on the following information -

CC&R's state that perimeter fencing is to be constructed of barbed wire. This was decided by the original Declarant in view of the fact that he intended to run cattle on the land not enclosed by individual property owners. The cattle owner is responsible for any damage done to property if his cattle breach the barbed wire fencing. In the event that a property owner uses a different type of fencing material, the property owner is responsible for the cattle damage and also to any damage to the cattle which has strayed onto the enclosed property. Property owners choose not to use the barbed wire due to the known danger of injury especially to animals and children.

The HOA Board have the right to allow this waiver as per the CC&R's Article 1 'Association', Article IV 'Enforcement and Amendment' 4.6. And the terms of the Articles of Incorporation whereby the Declarant handed over authority to HOA Board, whereby 'all words and terms used herein shall be deemed to have the same meaning as are given those words and terms in that certain Amendment to Protective Covenants and Declaration of Covenants, Conditions and Restrictions for Chula Vista..... ( Article I, Definitions.)

Signed

President CVHOA

Date